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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 5 June 1996

# Journal des débats (Hansard)

Mercredi 5 juin 1996



**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues

Chair: Floyd Laughren  
Clerk: Tannis Manikel

Président : Floyd Laughren  
Greffière : Tannis Manikel



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 5 June 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 5 juin 1996

*The committee met at 1004 in room 228.*

**The Chair (Mr Floyd Laughren):** We have an agenda this morning that deals with one intended appointment, a motion for concurrence, report of the subcommittee of yesterday and draft reports on the Ontario Northland Transportation Commission and the Manitoulin-Sudbury District Health Council. So let us get on with it.

## INTENDED APPOINTMENT

## DARLA SCOTT

Review of intended appointment, selected by third party: Darla Scott, intended appointee as member, Northern Ontario Heritage Fund Corp board of directors.

**The Chair:** Our first guest this morning is Darla Scott, an intended appointment for the Northern Ontario Heritage Fund. Darla, if I could be so informal, we split up the time evenly among the three parties, about 10 minutes each, and any comments you want to make at the beginning would be most appropriate. We welcome you to the committee.

**Ms Darla Scott:** Good morning. Thank you, Floyd. I appreciate the invitation to appear before you this morning to express my interest in this appointment. Although a couple of people know me on a more personal level, for the rest of the committee I'd like to give you a little bit of information about who I am and why I feel my qualifications would be of benefit to this board.

I'm a business owner, having been in business in the Sudbury and northern Ontario area for almost 10 years now. Throughout that period of time, I have been involved in community activities, specifically having served eight years on the local chamber of commerce in various positions, and I am the current president.

I have also been on the Sudbury Regional Development Corp as a member of the board for six years; I'm entering my sixth year. For those of you who are familiar with the mandate of the SRDC, it is to create jobs through diversification and enhancing the quality of life in the Sudbury region. During my period on the board, I have served on the tourism committee, participated in the strategic plan for tourism marketing for the Sudbury region. I have also served on the steering committee for the Next 10 Years conference, which was a conference to look at how we will continue to diversify our economy to sustain the current jobs that we have as well as develop opportunities for new job creation. I am the immediate past president of the Sudbury Regional Development Corp.

As well, I'm now serving my second year as director of the Ontario Chamber of Commerce. I have participated

in a number of Canadian and Ontario chamber conferences and workshops on economic development, barriers to business, transportation and tourism.

Last June, I also participated in the Industry Canada conference that was held in conjunction with FedNor in Timmins, where we were looking at the economic development strategy for northern Ontario. As a result of attending that conference, there were a number of community participants who formed a group and prepared and presented a model for growth for northern Ontario to Minister John Manley of Industry Canada. I'm pleased to say that a number of the recommendations that were presented by the group have now been incorporated in the new mandate for FedNor.

That gives you a little bit of background of the kinds of things I've been doing in terms of looking at how business can continue to develop and grow in northern Ontario, as well as my commitment to our community. I'd be very pleased to answer any questions.

**Mr Douglas B. Ford (Etobicoke-Humber):** Darla, welcome here today. Thank you for coming. I've got a number of questions here, so I'll just read them out and maybe you can answer them one at a time, please. With all your community experience, which qualities do you suspect will help you most if you are to serve on the Northern Ontario Heritage Fund Corp board of directors?

**Ms Scott:** I believe the links I have throughout our community and throughout northern Ontario would be beneficial in bringing a balanced view to how we can continue to develop northern Ontario. Certainly qualities like energy, enthusiasm and dedication to northern Ontario go hand in hand with the commitment that would be expected from members of the board of the Northern Ontario Heritage Fund Corp.

**Mr Ford:** Are you familiar with the changes in the mandate of the corporation?

**Ms Scott:** The only information I have at this time, of course, is the press release and the information I've received via newspaper and media. I'm familiar with the fact that the change is that we're to focus on tourism development, marketing and infrastructure projects.

**Mr Ford:** As a business owner, do you feel you will have sufficient time to devote to the needs of the corporation?

**Ms Scott:** Let me put it to you this way: As president of the Sudbury Regional Development Corp last year and as president of the commerce this year, I have been giving approximately 10 to 15 hours a week to volunteer activities. I would expect that demand on my time will diminish as I move to the past president next month, so I feel I have plenty of time.



**Mr Ford:** So you feel very qualified to do the job that's required.

**Ms Scott:** Yes, I do.

**The Chair:** Any other questions?

**Mr Dan Newman (Scarborough Centre):** My question relates to the government returning \$60 million to the Ontario heritage fund, plus interest. I was wondering what effect you feel that will have on northern Ontario.

**Ms Scott:** Obviously it was seen as a very positive move, to know that there were additional funds that can be used to improve the quality of life and improve the business infrastructure in northern Ontario.

1010

**Mr Newman:** How do you think that will help the ONTC?

**Ms Scott:** The ONTC?

**Mr Newman:** I'm sorry, the Northern Ontario Heritage Fund Corp. I'm just wondering the effect of that.

**Ms Scott:** I guess at this point I'm not sure how it would affect the NOHFC, other than knowing that with that kind of funding, the possibilities for some larger-scale projects are there. But at this point I wouldn't be able to comment any further. I'm not aware of what projects are before the board.

**Mrs Lillian Ross (Hamilton West):** Ms Scott, can you tell me if you have any specific goals or objectives in mind for the corporation if you're appointed?

**Ms Scott:** I guess if there's anything that really needs to be looked at, it's an overall strategic plan for northern Ontario. At this point, that is one goal I perhaps would see as being something the board should look at. However, I have not met with any other board members nor have I met with the chair, so whether or not that's an appropriate goal at this time remains to be seen.

**The Chair:** Can we move to the official opposition? We'll reserve that time if you need it. It's seven and a half minutes. Mr Bartolucci is next.

**Mr Rick Bartolucci (Sudbury):** Darla, good morning and welcome. We've certainly talked previous to this meeting about your appointment, so I'm going to start off by asking the two questions I will ask every Sudbury government appointee from here on in. The first question is, do you have an electronic device in your right ear that might affect your hearing?

**Ms Scott:** The last time I checked, no.

**Mr Bartolucci:** Good. The second question is, do you have any plans after you get this appointment to move to Ireland because you're dismayed with government policy, as Dr Hollingsworth is doing?

**Ms Scott:** Having been born and raised in northern Ontario, my commitment is to northern Ontario, so I think you could count on me being present for some time to come.

**Mr Bartolucci:** Terrific. Having answered those two questions and being able to hear the questions so clearly and being committed to northern Ontario, let me ask you the third question and the one that deals with the new mandate. I think there is a concern in northern Ontario as to the definition of this ministry's and this board's interpretation of what "infrastructure" means. Could you please give me your definition of what you interpret the

new meaning of "infrastructure" to be, and is it in fact the definition of the board?

**Ms Scott:** You've asked a difficult question, Rick. "Infrastructure" means a lot of things to a lot of different people, as you pointed out. How the board would interpret that I think is a decision that the board, under the direction of its chair, has to make, as opposed to a personal viewpoint. My representation, my position on the board, certainly is one to work with the other 11 board members and the chair, perhaps to make a very clear definition of what it is. So at this point I believe my interpretation really is not valid.

**Mr Bartolucci:** Okay. You know what? Because I know what type of team player you are, having seen that on the Sudbury and District Chamber of Commerce, I accept that answer. But could you please tell me at this point in time what you define "infrastructure" to be?

**Ms Scott:** Infrastructure is all of the components that make a region or a city or a town viable, attractive, and a healthy, breathing economy that attracts people and supports their needs.

**Mr Bartolucci:** So it's more than below-the-ground pipes and it's more than pavement?

**Ms Scott:** It's a whole host of things.

**Mr Bartolucci:** Such as?

**Ms Scott:** A host of things. It's highways; it's roads; it's sewers; it's water; it's hospitals; it's education; it's our government infrastructure; it's the business community; it's the volunteer community; it's the people who live there. It's all-encompassing.

**Mr Bartolucci:** For example, you know this project is on the books in Sudbury, Science North, and you know that Science North is working with the federal government at this point in time to secure some funding for the simulator project. Would you consider an application to the fund for funding for the simulator project as a project that should receive funding?

**Ms Scott:** I think we have to look at Science North in the context of economic development. As we've seen over the past years, Science North has grown, prospered and attracted many visitors to our community and presented us with a lot of spinoff opportunities that wouldn't have existed had Science North not gone out and purposely created new attractions to bring people back for a second, third or fourth visit or to bring new people in. I believe we have to look at Science North in the context of our infrastructure: Is that part of the infrastructure? That's what I would hope the board would consider.

**Mr Bartolucci:** What about you personally, Darla? You can't speak for the entire board, but you certainly can speak for Darla Scott, and you do that well. So would you support that?

**Ms Scott:** I think if you look at my initiatives within the community and certainly at SRDC, Science North has always been given full support in anything I've been involved in in the past.

**Mr Bartolucci:** I'll take that as a yes.

A second one, and one that is very dear to not only Sudbury but the entire north, is the development of the regional cancer centres. It's a project that started at our own Northeastern Ontario Regional Cancer Centre and it



has spun off to several communities throughout northern Ontario under the initiative of several people, but in particular Gerry Loughheed Jr. Is that the type of initiative, infrastructure definition, you would see the board supporting through funding?

**Ms Scott:** I think it all depends what part of the cancer treatment centres or the smaller regional centres we're being asked to support. I don't believe the fund is designed to provide operating funds. I believe it's designed for capital projects, and that is a very loose interpretation at this point. So if we were being asked to support a centre with operating funds, I would certainly have some reservations about that in terms of where the next step would lead them. If it was capital, I would certainly see that in a different light.

**Mr Bartolucci:** Then could you support startup costs for these different regional centres? Because they are throughout northern Ontario.

**Ms Scott:** I think each situation has to be looked at on its own merit as opposed to a blanket, "Yes, I would." Each situation has to be looked at on its own merit: What is the community providing? Is there support within the community etc'?

**Mr Bartolucci:** But, Darla, in all sincerity, do you not support the concept?

**Ms Scott:** The concept? Of course.

**Mr Bartolucci:** Then an application to the board would not be supported by you, are you saying, or would be supported by you, if we're looking at startup costs?

**Ms Scott:** I'm saying an application to the board has to be looked at on its own merit, and certainly if it has merit and meets the criteria that are set out under the legislation there would be no reason not to support.

1020

**Mr Bartolucci:** A concern I have, and we spoke about this previously as well, is the appointment of economic diversification officers from different towns in northern Ontario to the board. Do you not see that as being unfair or biased to the other cities and towns in northern Ontario?

**Ms Scott:** That's a very difficult question. I'm not familiar with the other members of the board, certainly not the individuals you're referring to. I don't know what their other interests are, so to pass an opinion on the validity of their appointment I think is really irrelevant.

**Mr Michael Gravelle (Port Arthur):** Good morning, Ms Scott. Thanks for coming. The first meeting of the new board took place on May 22 in Sault Ste Marie. I'm just wondering what came out of that meeting in terms of what decisions were made, what direction in terms of the strategy you discussed. Obviously, one of the concerns I think we all have is that for a year the heritage fund has literally not done anything. It's been absolutely in review and I think it was an unnecessary delay before decisions were made. Having said that, it's been a year.

The concerns we have now are that it's going to take a long time to get up and running. So I'm curious about the 22nd, what decisions were made, when the next meeting of the board is scheduled and just exactly how clear it was what role the board members will play in devising the strategy, in terms of what input, as in

consultation, the board members really will have in terms of putting that strategy together.

**Ms Scott:** My understanding is the May 22 meeting was an orientation meeting. I was not present as I was out of the province on business, so I cannot answer the other questions.

**Mr Gravelle:** I would think you share the concern, though, that there's a need to move reasonably quickly. The fund has not been up and running for four years. Is there another meeting of the board?

**Ms Scott:** I have not been advised of the next meeting, no.

**Mr Gravelle:** It's not scheduled. Do you have any understanding, though, in terms of the role of the board members in terms of input into that strategy? Certainly one of the concerns a lot of us have is that there has not been real consultation with northerners, as has been promised. Regardless of how one feels about the appointments, I think it's important that the members who are in place have an opportunity to have real input in the process of the strategy, rather than simply being told how it's going to work. I'm going to operate from the positive point of view that that's how it will work, but do you have any indication that's the case?

**Ms Scott:** I haven't received any indication. Certainly, I've had a number of phone calls from individuals in northern Ontario already giving me their views —

**Mr Gravelle:** I'll bet.

**Ms Scott:** — which is perfectly acceptable. However —

**Mr Gravelle:** I would think that would want to be encouraged, actually, that that would be the role you would play.

**Ms Scott:** Absolutely. That's what representation is all about, being able to bring the various viewpoints to the board for their consideration.

**The Chair:** I don't want to be too arbitrary, but you are a minute over, so I think we had better call time.

**Mr Tony Martin (Sault Ste Marie):** Thanks for coming today. I'm just wondering, just to kind of set the record straight and for all of our information here, are you a card-carrying member of the Progressive Conservative Party?

**Ms Scott:** Am I a card-carrying member of the Progressive Conservative Party?

**Mr Martin:** Yes.

**Ms Scott:** No, I'm not a card-carrying member of any party.

**Mr Martin:** Okay. Do you support the direction this government is going in?

**Ms Scott:** I think what you need to consider is that good government is supported by the individuals within the province and good government legislation is supported by individuals. I support good government legislation regardless of party.

**Mr Martin:** Do you support the direction, though, that this government is going in and do you consider what it's doing to be good government?

**Ms Scott:** How does this relate to my appointment?

**Mr Martin:** You're called here to answer some questions and I would hope you would have nothing that you'd be afraid of or that would concern you in terms of



answers you might give. I'm just asking you if you support the direction of this government and do you think what this government is doing is good government?

**Ms Scott:** I'm still confused how this relates to my appointment. Obviously, as a board member, or potential board member, I would be seen as a positive contributor to the direction of the board. I'm not sure where else this goes.

**Mr Peter Kormos (Welland-Thorold):** Excuse me, Chair. Maybe a brief recess to administer Novocain.

**The Chair:** Order, please. Carry on, Mr Martin.

**Mr Martin:** It seems to me that in acting on behalf of or as part of a board such as the NOHFC, which is so important to northern Ontario, it would be important for those of us who represent constituencies in northern Ontario to understand where you'll be coming from in terms of either your support of the agenda of this government, or in support of what in fact is in the better interests of northern Ontario and you won't have any difficulty when it comes to making those kinds of decisions.

**Ms Scott:** I believe my role as a board member is to work with the board to bring forward the kinds of recommendations that are in the best interests of northern Ontario and to work on their behalf. If that is synonymous with government direction, that's good.

**Mr Martin:** And if it's not?

**Ms Scott:** If it's not synonymous, then we have a lot of work to do to reach compromises that satisfy the interests of northern Ontario.

**Mr Martin:** Okay. Certainly in the north Sudbury is seen and known by those of us who live up there as a community that has done some tremendously good work over the last 10 to 20 years to restructure an economy that was faltering, that was struggling, as the downsizing of INCO and Falconbridge and all of that happened, and that has gone after some significant number of government jobs. The taxation centre was brought to Sudbury, Science North arrived in Sudbury, and all of that was seen to be a very valuable and important contribution to the north. In the short time the Conservatives have been in power in Ontario, we've seen a diminishing of government presence.

We've also seen in my community — and it's the only community I can speak of intimately because I'm very much involved and concerned about what's happening there — two decisions have been made so far that are probably going to cost my community somewhere between \$40 million and \$50 million a year in economic activity. The decision to take 22% out of the resources of the poorest in my community, those people on social assistance through no fault of their own, costs my community about \$2 million a month and will ultimately therefore cost about \$24 million to \$25 million a year in revenue coming in that's spent in some of the businesses that probably are represented by your organization, the chamber.

By way of the downsizing of the government operation itself, we've just had a study done that indicates we stand to lose, and these are conservative estimates, something like 1,700 jobs in Sault Ste Marie because of the downsizing of the government by this present government in

less than a year, and even with a mitigating tax break, if people spend all of the tax break, we'll still lose about 700 jobs. If they spend half of that, the estimate is that we'll lose 1,200 jobs. So far we've seen nothing from the NOHFC by way of a plan to mitigate. I had a meeting with some of the staff of northern development and mines and they've lost all their programming. I suggest to you that —

**Mr Gerry Martiniuk (Cambridge):** On a point of order, Mr Chairman: You'll have to help me with this, but as I understood the standing orders, when there is a reference to a report, it's incumbent on that member to produce the report and I was wondering if this member will be producing same.

**Mr Martin:** I'd be more than happy to do that.

**The Chair:** Perhaps he could do that later, but I think we should not cut into his time.

**Mr Martiniuk:** Thank you.

**Mr Martin:** The board, to this point, has not been operating. It's been sitting in limbo as the government decides what it is it's going to do. Up to this point, it's done nothing but cut and decimate. Does that cause you any concern?

**Ms Scott:** Obviously there is concern that the board has not met and that there are a number of projects before it. This is a concern, I think, shared by many individuals throughout northern Ontario, as you have expressed. I believe that once the appointments have been made official, the board will be given its direction to move forward as quickly as possible, and I'm prepared to work to move projects forward as quickly as possible.

1030

**Mr Martin:** The impact I've described for you re Sault Ste Marie, is that the same experience for Sudbury?

**Ms Scott:** I believe that every northern Ontario community has grave concern when it loses one job, let alone several hundred jobs. As individuals and as representatives on various committees and boards we have to work extremely hard to replace those jobs and seek out new opportunities. That's being done in your community, my community and other communities in northern Ontario. We have to come together and move those views and opportunities forward as quickly as possible to create new opportunity and sustain the jobs we currently have. Yes, it's of concern, and I'm prepared to work to do that.

**Mr Martin:** The difficulty I have in all that is the hunch that some have who are watching the scenario unfold that all of us in the north have to deal with, that this government is into major reduction in expenditure in the north. Municipalities have lost literally millions of dollars to their budget, which goes into the maintenance, for example, of the road structure, which is infrastructure, and have been saddled now with the maintenance of even more roads compared to before.

If it turns out that the northern Ontario heritage fund is to some degree simply an attempt to spend money that was normally spent in stimulating, creating and working with entrepreneurs in the north to try to develop new industry and jobs to replace money to maintain roads and other infrastructure projects that aren't going to be replaceable and repairable now because cities aren't going to have the money they had before, would you be willing



to stand up and say that's not an appropriate expenditure of this money and that, as those of us who have been watching this have said up to this point, this is simply another shell game?

**Ms Scott:** I'm not aware at this point of what infrastructure means in terms of the fund, so I can't say that it's going to be used to replace funding for northern Ontario roads. Certainly there are always concerns about one fund being used to replace another, that kind of thing. However, as citizens of northern Ontario we have always been very clear in speaking out on what we believe are issues that are important to us. I don't think that being an appointment to this board changes the way we continue to address government, whatever party is represented by the government.

**Mr Martin:** So you're telling me —

**The Chair:** Excuse me, Mr Martin, that's the end of your time. I know it went quickly, but that's the 10 minutes that have been allocated. There are a couple of minutes left if government members want to use them, but you're obviously not required to.

**Mr Bob Wood (London South):** We won't use it; we'll waive it.

**The Chair:** Okay, thank you. Ms Scott, thank you very much for appearing before the committee. We appreciate your presence here. You will hear through the process as it unfolds. You're welcome to stay or leave, whichever you wish.

The next item is the question of concurrence or otherwise.

**Mr Bob Wood:** I move concurrence in the intended appointment of Ms Scott.

**The Chair:** Okay. Do you wish to speak to that?

**Mr Bob Wood:** Not at the moment.

**The Chair:** Okay. Does the official opposition wish to speak to it? No. Third party?

**Mr Martin:** I will support this appointment, given that I heard Ms Scott say to us this morning that given a choice between fighting for, as her community has always done over the last 10 or 15 years, that which is essential and most important to her region and to the whole region of northern Ontario when it comes in conflict with the agenda of this government, which up to this point seems to be to shift money around so that in the end it simply spends less, she will be a strong voice on behalf of the small businesses in northern Ontario — in Sudbury, Sault Ste Marie, Thunder Bay, Timmins and North Bay and all those very important, vital and valuable communities that now exist in northern Ontario — that now operate in those communities and that she will not compromise her principles or her strong feeling for our special part of this province. I sense from her answers that she will have the courage and strength of her commitment to stand up and speak for the north as this government continues its agenda of devastation and destruction.

**The Chair:** You've provoked Mr Bartolucci now, Mr Martin.

**Mr Bartolucci:** You have, and I'm not going to try to change Tony's mind. Let me tell you that (1) I consider Darla to be a friend, and I want that on the record; (2) I have serious concerns about her definition of "infrastructure"

as it applies to northern Ontario and in particular to this board; (3) I honestly and firmly believe in these regional cancer centres, these community centres that I believe must be funded through this board because their importance is critical.

I would have wanted a direct answer of support and I didn't get that from Darla. I'm not questioning Darla's ability to fight, because philosophically we've certainly had our opportunities to disagree, always very favourably, but to disagree. I would suggest in this instance, because she didn't give a clear answer on the composition of the board with regard to economic diversification officers from other towns in northern Ontario, which I consider to be an unfair advantage for those towns, because I'm not satisfied with her definition of "infrastructure" and because I'm not sure that her commitment to the regional cancer centres is as pronounced as I would want it to be and as pronounced as I'm sure it's going to be over the long term, I will not support the appointment.

**Mr Bob Wood:** We think she has a lot of good business experience and a lot of good community experience and we think she's going to be an excellent member of this board.

**The Chair:** Are there any further comments? If there are not, the motion has been put before the committee and the opportunity is here to vote on it.

**Mr Martin:** I don't want to get into a discussion with Rick but I want to say, because Darla's still here and to the members of the government, that if this fund becomes simply another way of funding those agencies, organizations and institutions that we see as absolutely essential to any viability in the north — health care facilities, roads and bridges, municipal works of various sorts — which is not what it was intended to be in the first place, then we've lost the focus of the NOHFC and we might as well close it down, because all it has become is another funnel of money politically wrapped so that it looks like this government is spending a whole pile of money in northern Ontario when it is not. It's simply replacing money they're taking out from mainline ministries to services that we just cannot afford to lose.

The reason that I'm going to support Darla this morning is that I know that she won't let that happen, that she will be a voice for the north that is, as so many of the voices before her, intelligent, sensitive and understanding of the fact that it just doesn't make any sense to be replacing one source of money with another and to be in any way in that shell game diminishing the level of service that we get in the north, because we need it up there and we need it closer than Toronto or London, which is where a lot of the people in Sault St Marie right now have to go for medical care. That's a real hardship for some people.

**The Chair:** Thanks, Mr Martin. Are the members ready for the vote? I don't want to rush you.

All those in favour of Mr Wood's motion, please show. All those opposed? The motion is —

**Mr Bob Wood:** I wonder, Mr Chair, if we could have a recorded vote, please.

**The Chair:** The rules say you have to ask for it before the vote.



**Mr Bob Wood:** In that case, I'll simply note for the purposes of the record, the NDP and the Conservatives supported this and the Liberals opposed it.

**The Chair:** Okay. The motion is carried.

**Mr Bruce Crozier (Essex South):** On a point of order, Mr Chair: I just want to make a comment that some time earlier this year I think there was some suggestion that this committee would try to operate on a non-partisan basis. Then later, Mr Wood confirmed for us that many of the appointments would be partisan. Then again this morning, in order to subvert the rules, Mr Wood has made the comment he has just made.

I take that a bit as an affront. The rules clearly state how a recorded vote will be made. I am sorry that you feel that you have to take this kind of approach, because we've been able to get along pretty well on this committee. I just took it, Mr Wood, as a personal affront to me to subvert the rules as they're intended to be followed. It just again shows that, notwithstanding what might be said from time to time, this simply is a partisan committee.

**The Chair:** On the same point of order, Mr Kormos.

**Mr Kormos:** I'm as concerned as Mr Crozier, but not with the same passion. Clearly, Mr Wood screwed up. He screwed up big time because he blew it and forgot to call for a recorded vote, so he tried to do some cleanup. God bless. In that respect, it was a little bit innovative, but it's the type of innovativeness that we all admire and he's on record now as having clearly demonstrated that he screwed up. The poor guy screwed up, Mr Crozier. He blew it. He fumbled. He dropped the ball. Don't embarrass him, for Pete's sake.

**The Chair:** Have we not beaten this horse to death?

**Mr Bob Wood:** I don't want to embarrass the Liberals further by their impolitic vote.

**The Chair:** Okay, that's disposed of. The motion as put by Mr Wood has been carried. We can now move on to the next item of business, which is the report of the subcommittee, a meeting that was held yesterday.

**Mr Bob Wood:** I move adoption of the subcommittee report.

**The Chair:** Mr Wood has moved adoption of the subcommittee report. Does anyone wish to speak to that? All those in favour? Opposed. It's carried.

The next item of business is in closed session because it deals with a draft report on the Ontario Northland Transportation Commission and the Manitoulin-Sudbury District Health Council.

*The committee continued in closed session from 1044 to 1144.*

**The Chair:** We're back in open session. Do you want to wait for Mr Wood or do you want to start?

**Mr Newman:** Can we wait for Mr Wood?

**The Chair:** You want to wait for a minute. Is he on his way?

*Interjection.*

**The Chair:** I believe you. Can we start, because it's almost 12 o'clock. I'll ask the clerk to read the motion. We won't call any votes or anything at this point, but I think we should get started. I'll ask the clerk to read the motion and then open it up for debate.

**Clerk of the Committee (Ms Tannis Manikel):** Mr Wood moves that the Chair be instructed to present the

report on the Ontario Northland Transportation Commission to the House.

**The Chair:** We can have a discussion on that motion now. Mr Kormos.

**Mr Kormos:** Mr Chair, Mr Martin had to leave the committee room. I'm moving deferral of this motion to June 19 at 10:30 am.

**The Chair:** So you're moving deferral of this one —

**Mr Kormos:** Yes.

**The Chair:** — till the 19th. Okay, on this —

**Mr Bartolucci:** Before you rule on it, Mr Chair, I would ask, if there's a motion of deferral — because Mr Crozier just left — for a 15-minute adjournment so that I could find Mr Crozier.

**The Chair:** I'm a little disturbed by this because I thought there was an agreement that we would move into open session for the purpose of debating this, Mr Wood's motion. So I'm troubled, after having had that agreement, that we now move a deferral. I think it's in order, but —

**Mr Kormos:** No, Chair, if the Chair's understanding was such that it would bar that type of motion —

**The Chair:** I think you're in order, but I'm just troubled by it.

**Mr Kormos:** No, no, I know I'm in order, but if the Chair's of the understanding — and I respect the Chair's perception that there was an agreement that this type of motion not be brought. Is that —

**The Chair:** More or less. I mean —

**Mr Kormos:** Fair enough then. In view of that, I withdraw my motion because I wouldn't want to upset the consensus that had been arrived at by the committee while it was sitting in camera without there being a record. I appreciate that when there's not a record it's not something one can refer back to. I respect the Chair's interpretation of those events and I withdraw the motion for deferral.

**The Chair:** I appreciate that. Do you wish to speak to Mr Wood's motion at this point or not? Mr Wood's motion is still before the committee.

**Mr Kormos:** Perhaps we could re-read that motion, please.

**Clerk of the Committee:** Mr Wood moved that the Chair be instructed to present the report on the Ontario Northland Transportation Commission to the House.

**Mr Kormos:** May I move an amendment to that, which I believe is in order, that the report be reported to the House and recommended for debate.

**The Chair:** And that what?

**Clerk of the Committee:** And that the recommendations in the report be adopted?

**Mr Kormos:** No. The motion now is that the report be presented to the House.

**The Chair:** Yes.

**Mr Kormos:** I am moving an amendment that it be presented to the House with an addendum that it be recommended for debate in the chamber, in the Legislature.

**The Chair:** So, do you wish — sorry.

**Mr Bert Johnson (Perth):** Mr Chair, it would be my opinion that he cannot amend it. He changes the intent of the motion. I don't think it's an amendment, I think it's a different motion.



**Mr Kormos:** On that point of order —

**The Chair:** Yes, that's an interesting point, that it may be you can't amend a motion that contradicts the motion itself, right? That's my understanding of the rules of order. It's a question of whether or not that does do that. I don't think it does. I think it's just adding on to it, but on the other hand that's debatable. I acknowledge that. Okay, I seek your advice on this.

**Mr Bartolucci:** Mr Chair, in my limited knowledge of procedure, the Chair must rule whether or not the amendment is in order before we have further debate. If you move that it is in order, then we debate and vote on it. If you move that it's out of order, then it's out of order and we move to the main motion.

**Mr Bob Wood:** Mr Chair, could I speak to this point of order?

**The Chair:** Yes, you may.

**Mr Bob Wood:** I think Mr Johnson is right and the issue is, does the amendment negate the motion? I think, given the rules, in fact Mr Johnson is right and it does. The two choices we have are to table it or to recommend it to the House for adoption. Those are the only two choices we have under the rules. What Mr Kormos's motion does, and that's of course his position and he's perfectly entitled to that — his amendment has the effect of negating the motion. I think the proper procedural way to do it is to vote on my motion and if it passes, obviously it becomes academic; if it fails, Mr Kormos can then move his motion. I think it's a procedural thing. It's as long as it is wide.

**Mr Kormos:** I want to speak to the point of order, but once again, the motion is one to merely table the report. That's how the motion reads.

1150

**The Chair:** You're saying that it shouldn't just be tabled; the recommendation should be tabled and scheduled for debate.

**Mr Kormos:** Yes.

**The Chair:** That's the difference.

**Mr Kormos:** Yes. But Mr Wood used language there — what was the language? — "tabled" as compared to "reported."

**Mr Bob Wood:** That it be tabled, period.

**Mr Kormos:** And you're saying my position is recommending that it be reported to the house.

**Mr Bob Wood:** Yes.

**The Chair:** And debated.

**Mr Bob Wood:** The rules say we have to choose between A and B. I have moved A and you're saying, "I want to amend your motion by in effect making it say B."

**Mr Kormos:** Have you got a set of those rules, Chair? I didn't bring mine this morning.

**The Chair:** The clerk may have some nearby. I know at the end of the day I have to make a ruling on this.

**Mr Bartolucci:** I'm trying to speed up this process because I'm looking at it and we're running out of time. I asked for it to be in open committee so we could debate it. We're running out of time. Three minutes isn't going to be enough. Really, when you look at whatever your interpretation of the motion is, whatever our interpretation of the motion is, whether our amendment is in order,

whether it's not in order, ultimately and finally, with all due respect — Mr Kormos can read the standing orders — at the very end of the day, though, we know who has to make the decision and it's the Chair ruling it's either in order and it's debated, or it's out of order, and we move to the main motion. Regardless of what our interpretation is, we're wasting valuable time.

**Mr Bob Wood:** It's a procedural matter. I think Bert Johnson is right.

**The Chair:** Because it's either/or, that way or that way —

**Mr Kormos:** Chair, please, I'd like to refer to the specific wording of the rules because it could be a conjunctive "or" or an exegetical "or."

**The Chair:** I suppose that's true. I'm going to make a ruling and because I see it as either one way or the other — I see it not as a friendly amendment but as one that negates the intent of Mr Wood's motion, so I will rule it out of order and ask that we continue debate on Mr Wood's motion.

You had finished speaking to it. Did you want to speak to Mr Wood's motion, Mr Kormos?

**Mr Kormos:** Is Mr Wood going to speak to the motion, having moved it?

**The Chair:** He has.

**Mr Kormos:** Okay. He's completed his —

**The Chair:** I think he has.

**Mr Bob Wood:** I may make submissions at the end.

**The Chair:** Okay. So we're debating Mr. Wood's motion that it simply be presented to the house, full stop.

**Mr Bartolucci:** Procedurally again, because we seem to be hung up on procedure this morning, when a motion is introduced, is it not at least discussed by the mover of the motion? Normally it is.

**The Chair:** To be fair, Mr Wood did discuss his motion when he moved it, so it's not as though it hasn't been, and he doesn't have to either, besides. He doesn't have to if he doesn't want to, so that's really neither here nor there.

Okay. Is there any further debate?

**Mr Kormos:** Now this is on Mr Wood's motion.

**The Chair:** Yes indeed.

**Mr Kormos:** I don't know if the clerk has found the statute or not, not that I'm going to raise my — but again, on the distinction between reporting and merely tabling. What's interesting is that more than a few of these government members have had occasion over the course of the last — by God, it is almost 12 months now, isn't it? Does it seem like a lifetime for you too? — 12 months to criticize on more than one occasion the plethora of reports that find themselves to be dust magnets in various shelves and in various library places around ministries' offices and Queen's Park.

One of the things the committee should be very concerned about, including Mr Wood, is whether or not this thing receives the attention it deserves. Clearly, the matter is of great significance to northern Ontario, and in a very not so indirect way to people in southern Ontario as well for a variety of reasons.

Again, here's a government that talks about business and small business and the interrelationship between what happens in the south. Whether or not they can do busi-



ness and engage in trade and support economies in the north in no small part is impacted by the abandonment of air service in northern Ontario. There are, it's acknowledged, no government members from the north. If I'm wrong in that regard, I'm sure somebody's going to rise to correct me.

**Interjection:** The Premier is from North Bay.

**Mr Kormos:** I know, but North Bay, Parry Sound — that's the typical southern perspective of the north.

**Mr Bartolucci:** North Bay yes; Parry Sound no.

**Mr Kormos:** Okay, North Bay, because North Bay is the Gateway to the North.

*Laughter.*

**Mr Kormos:** Chair, was that funny? Chair, please. Just yesterday the Speaker himself made an appeal — well, it wasn't yesterday; it was several days before that in a newspaper clipping I saw where he identified Chris Stockwell, Dominic Agostino and myself as the three worst disruptive people in the Legislature, which I thought was grossly unfair.

**Mr Bert Johnson:** I move concurrence in that.

**Mr Kormos:** Well, there we go. I've got two Speakers now. But in an appeal for order and decorum here —

**The Chair:** It's certainly not true of committees.

**Mr Kormos:** I go no further than to mention North Bay as the Gateway to the North and you start chuckling. Perhaps it was just some sort of — allergies are rampant; it's the season.

In any event, it seems to me imperative that this is the sort of thing that has to be dealt with by all members, especially in view of the dearth of government representation of the north, conceding of course that Mr Harris is representative of the Gateway to the North, which is the very southern extremity of the north and a far cry from a whole lot of communities like Chapleau, Wawa, Hornepayne, Geraldton, Thunder Bay, Fort Frances, Elliot Lake, Gore Bay, even Sudbury — although it's not that far from Sudbury in the total scheme of things — Earleton, Kirkland Lake, Timmins, Kapuskasing and Hearst.

What makes it more imperative is the fact that there were strong dissenting views expressed in the course of not only preparing this report — Mr Wood earlier talked about the SARB report, where there was consensus reached within the committee. When there's that sort of consensus, I think it's far more appropriate to talk about mere tabling as compared to reporting back. I know Ms Manikel is still looking for that section.

**The Chair:** I've got it. Any time you'd like it to be read, indicate.

**Mr Kormos:** Please.

**The Chair:** There are a couple of sections here that are appropriate for this discussion. Listen to this one:

"Committee reports shall be presented to the House by the Chair with a brief statement from the Chair only, and where a report includes a request for consideration by the House," which is basically what the opposition is asking for, "or where such consideration is requested by a petition of 12 members filed with the Clerk," so there is that option there for members of the opposition as well, "a government order shall be placed on the Orders and Notices paper for consideration by the House."

The other section that's appropriate is: "When presenting a report the Chair of a standing or select committee may move the adoption of the report if it contains a substantive motion. After moving the adoption of the report the Chair may make a brief statement and then shall adjourn the debate," which is basically what's being asked here. "The adjourned debate shall be carried on the Orders and Notices papers daily to be called by the government House leader in the same manner as government orders." That's done at the discretion of the House leader of the government, and may or may not be negotiated with the other House leaders. The government House leader can arbitrarily call them.

**Mr Bob Wood:** If I could speak to this point of order you have raised —

**The Chair:** I'm not sure it was raised as a point, but okay.

**Mr Bob Wood:** The bottom line is, if 12 members want to have this put on the government orders, it can be put on. Obviously, we're in the hands of the committee as to whether we want to spend a lot of time on this, but whatever disposition we make of it, if 12 members want it on, it will be on.

**Mr Bartolucci:** Because of its significance and importance and because the actual fate of northern Ontario is at risk, as I see it, I suggest that because we're past the hour, we adjourn. But looking at the schedule for government agencies for June 12, if we don't have time on June 12 — I guess it would be putting people out who are to be interviewed if we were to ask them to cancel. Why don't we move this to June 19, ask Mr Lacey maybe to appear before the committee later? We're already dealing with one aspect; let's deal with the second one on June 19. Let's leave for the summer with both these issues obviously resolved.

**The Chair:** I think I heard you notice the clock. Am I reading you correctly? Then we really must adjourn until next week.

**Mr Bob Wood:** I don't know whether he might be persuaded to briefly avert his eyes, for maybe three minutes?

**Mr Bartolucci:** Is it for another piece of paper?

**Mr Bob Wood:** My point is that we can certainly spend time on this and you're entitled to do that if you want to, but whatever disposition we make of it, if 12 members want it on the order paper, it's on the order paper. I really don't know, at the end of the day — we're prepared to go on record as supporting the position I put forward earlier. Why don't we do that? If you want it on the order paper, at last count there were more than 12 Liberals and more than 12 NDP members.

**The Chair:** What have you decided, Mr Bartolucci?

**Mr Bartolucci:** I'm going to look at the clock.

**The Chair:** The clock has been brought to the attention of the Chair, so we will adjourn and carry on this debate next week. Next week we have three interviews scheduled already, so next Tuesday, the subcommittee will have to make some determination about when we proceed with this debate. The other one has already been moved to the 19th, the one on the health council.

Thank you for your patience this morning. We are adjourned.

*The committee adjourned at 1202.*







## CONTENTS

Wednesday 5 June 1996

<b>Intended appointment</b> .....	A-345
Darla Scott .....	A-345
<b>Subcommittee report</b> .....	A-350

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Laughren, Floyd (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Martin, Tony (Sault Ste Marie ND)

\*Bartolucci, Rick (Sudbury L)

\*Crozier, Bruce (Essex South / -Sud L)

\*Ford, Douglas B. (Etobicoke-Humber PC)

Fox, Gary (Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud PC)

\*Gravelle, Michael (Port Arthur L)

\*Johnson, Bert (Perth PC)

\*Kormos, Peter (Welland-Thorold ND)

\*Laughren, Floyd (Nickel Belt ND)

Leadston, Gary L. (Kitchener-Wilmot PC)

\*Martin, Tony (Sault Ste Marie ND)

\*Newman, Dan (Scarborough Centre / -Centre PC)

Preston, Peter L. (Brant-Haldimand PC)

\*Ross, Lillian (Hamilton West / -Ouest PC)

\*Wood, Bob (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Martiniuk, Gerry (Cambridge PC) for Mr Leadston

**Clerk / Greffière:** Tannis Manikel

**Staff / Personnel:** David Pond, research officer, Legislative Research Service



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A-21

A-21

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 12 June 1996

# Journal des débats (Hansard)

Mercredi 12 juin 1996

**Standing committee on  
government agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues



Chair: Floyd Laughren  
Clerk: Tannis Manikel

Président : Floyd Laughren  
Greffière : Tannis Manikel



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LEGISLATIVE ASSEMBLY OF ONTARIO  
STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 12 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO  
COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 12 juin 1996

*The committee met at 1008 in room 228.*

COMMITTEE BUSINESS

**The Acting Chair (Mr Peter Kormos):** With the consent of the committee, for the purpose of item 1 on the agenda I will chair. I ask the committee to note that it's been years since the whip in my caucus has permitted me to chair or vice-chair or in any other way participate in the process at this level. Of course, this is a whip who is a team player and inclusive. I appreciate the committee's approval. In any event, we're resuming the debate on Mr Wood's motion.

**Mr Bob Wood (London South):** I would like to speak to a point of order, Mr Chair. I'm sure your elevation today is a very positive sign for events in a few days' time. I think you can take this as a very encouraging sign of increasing support.

I would like to withdraw the motion I have on the floor. I am prepared to move, once this motion is indeed withdrawn, that the Chair present the report to the House and move the adoption of the recommendations. If I don't get the opportunity to do that, hopefully somebody else will and we can dispose of the matter.

**The Acting Chair:** That's the new motion on the floor. Any debate with respect to that motion?

**Mr Tony Martin (Sault Ste Marie):** I appreciate the acquiescence of the government side on this. It is indeed a very important subject, one that requires some debate at the highest of levels, because as I've shared in closed session, transportation is fundamental and essential to any future we will have in the north and enhancement of transportation has always been the order of the day for governments at Queen's Park where it concerned the north. I hope this government would do everything in its power to make sure that continues to be the case.

**The Acting Chair:** Thank you, Mr Martin, for expressing your support for the motion. Is there any further debate on the motion?

**Mr Bob Wood:** Yes. I would like to draw to the attention of the committee that it's as a result of hearing good submissions from all sides of the committee that we've come to this conclusion.

**The Acting Chair:** Thank you, sir. Any further debate? I call the question. All in favour of the motion? All opposed? Motion carried.

**Mr Peter L. Preston (Brant-Haldimand):** I find it very difficult to keep a straight face when Mr Kormos is trying to cut you off for being too longwinded.

**The Vice-Chair (Mr Tony Martin):** I obviously wasn't being obnoxious enough, maybe. Was that it?

**Mr Bob Wood:** That's a precedent I hope the Vice-Chair is going to follow throughout the session this morning.

**The Vice-Chair:** That's what happens when everybody becomes cooperative, eh?

INTENDED APPOINTMENTS  
JOHN LOWRY

Review of intended appointment, selected by third party: John Lowry, intended appointee as member, Ryerson Polytechnic University board of governors.

**The Vice-Chair:** We will move to the interview of Mr John Lowry. Are you going to have a few opening comments for us?

**Mr John Lowry:** No, I'm not, Mr Chair, but thank you for your kind comments. I'd be pleased to respond to any questions the members may have.

**The Vice-Chair:** We welcome you and we will start the questioning with the government side.

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Mr Lowry. Thank you for coming today. I look at your extensive background in the banking business. It's a great bank; I know all about it, believe me.

What professional experience will you be able to offer the board as an intended appointee?

**Mr Lowry:** I bring 38 years of banking experience to the board. That in itself doesn't mean a whole lot, but over the years I've had an opportunity to work with a lot of our customers, big and small business. I've learned a lot from them as well. During the 38 years I've also had an opportunity to run some major parts of the bank. Today, I have responsibility for our branch network across Canada and in the Caribbean and responsibility for all of our personal and small business customers in Canada.

**Mr Ford:** Yes, I see that background is quite extensive. It's an honour to have you on this board. Why would you choose to accept a board position at Ryerson as opposed to another educational institution's board?

**Mr Lowry:** I've had a long association with Ryerson. We have been the bankers of Ryerson for many years. I personally was the relationship manager for Ryerson some years back, so I know many of the people from Ryerson. I was also in charge of the capital fund-raising program back in 1989 and headed up the financial institution fund-raising campaign.

**Mr Dan Newman (Scarborough Centre):** Good morning, Mr Lowry, and thank you for appearing before the government agencies committee today. Are you familiar with the concept of income-contingent loans?



**Mr Lowry:** Yes, I am.

**Mr Newman:** What are your thoughts on them?

**Mr Lowry:** I think the program has some merit. Certainly, it's based on your earnings when you graduate; the more you earn, the quicker you have to pay back your loan. I think that's fair. There has been a lot of resistance from the student body, the Ontario Federation of Students, towards the program. I think they see it as a way the universities will move to increase the tuition fees, so we also have to be very sensitive to their concerns and listen to what they have to say as well, but I feel the program does have some merit. It's worth exploring and considering.

**Mr Gary L. Leadston (Kitchener-Wilmot):** How would you envision your role on the board? There are some parallels with your background, but in terms of the future how would you envision your role on that board?

**Mr Lowry:** The way the university is structured, the board of governors really has responsibility for finance and administration and the academic council has responsibility for the academic program. I see working very closely in helping with the finances and the administration of the university, but also it has to be very collaborative. It needs the support. All parties have to work closely together. There are some real challenges, as you well know, in the education field these days, so it's important that all parts work closely together.

**Mr Ed Doyle (Wentworth East):** I wonder if you can tell us about the remuneration for this part-time position.

**Mr Lowry:** I'm pleased to report that there's no remuneration. It is a community volunteer program and I'm pleased to be part of that.

**Mr Bob Wood:** Mr Chair, we'll reserve the balance of our time.

**The Vice-Chair:** You've got probably a good seven minutes to use at the end of this round if you so choose. We'll move to the Liberal Party for 10 minutes of questioning.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mr Lowry, and welcome. Ryerson specifically, like all universities and colleges, has received a substantial funding cut in terms of provincial funding. It's \$10 million for 1996-97, which is 7% of what it was receiving previously. Obviously tuition fees have gone up and funding's gone down. You seem eminently qualified for the position. Do you expect that part of the role you may play in this is in some way also connected with fund-raising? I must admit I'm thinking in terms of your association with CIBC, which is very supportive. As you say, they're the banker for Ryerson. Is that going to be one aspect of your role?

**Mr Lowry:** They haven't quite carved that out for me yet but I suspect that, having been on many fund-raising campaigns over the years and associated with many different charities, they will be looking for me to play a major role in that area. I'm certainly prepared to do that.

**Mr Gravelle:** Do you have any ideas that you'd be willing to share with us in terms of how that can be done? Because even beyond Ryerson it's going to be a problem for all post-secondary institutions. They're all looking for ideas and concepts of how more money can

be raised in that manner. I'm curious whether you have any ideas you might want to share with us.

**Mr Lowry:** It's important that we have a very strong educational system. If we look at Ryerson, Ryerson also has an excellent business program, and that's very important to all the financial institutions, particularly here in Toronto, including CIBC in that. We are a major employer of Ryerson graduates and there is a lot more we can do in working cooperatively together in the private sector and the public sector in trying to share some programs and bring the expertise we have from both business and education together in some of those programs and reduce costs. For example, Ryerson does have some long-term debt. That's going to be a challenge to deal with, but that may be an opportunity, that we can do some fund-raising around that as well.

**Mr Gravelle:** In terms of the 1996-97 cut, and of course there have been previous funding reductions, are you aware of what that has meant to Ryerson in terms of how it's going to operate next year?

**Mr Lowry:** I have had some discussions with Dr Lajeunesse on that, and the \$10-million cut in the provincial grant really is going to create some challenges. But I can assure you, in talking with them and the other people from Ryerson, that they feel they are up to the challenge. They have a number of programs where they have outlined how they're going to deal with that \$10-million cut. It comes anywhere from energy conservation — retrofits — to downsizing, working with the unions, early retirements. There is a whole plan of action that I'm glad to see Ryerson has already put before its board. They're fiscally responsible and they have the issues well in hand. It's not easy, but they're up to it.

**Mr Gravelle:** I take it from what you're saying that you believe the cut can be managed without a reduction in the standards for which Ryerson is notable. I presume you believe that's possible. That's one of the concerns those of us in opposition have, and I'm sure members of the government as well, that these funding cuts are having such a substantial impact, let alone the increased tuition fees which are making university and college potentially less accessible for people.

**Mr Lowry:** Your comments are very valid, and I can assure you that we will look under every rock to make sure we're getting value for every dollar we spend at Ryerson.

**Mr Bruce Crozier (Essex South):** Good morning, Mr Lowry. I want to discuss for a moment or two the fund-raising aspect. With the significant reduction in funds available from the government for all universities — and this has been a problem throughout the 1980s and 1990s, has been a complaint as it's declined — fund-raising, as you said, will be an activity that will have to be pursued. If we consider that taxation is really a redistribution of wealth for the benefit of society as a whole, I wonder if you'd comment on the fact that when we rely more on voluntary contributions, perhaps those in society who could well afford it still may not participate, will choose not to give money to organizations such as Ryerson. Do you see fund-raising as better, as worse, or do you have any comment on it compared to funding by society as a whole?



1020

**Mr Lowry:** That's a very good point and good question, and I wish I had the answer off the top of my head, Mr Crozier, but I don't. My view is that we're going to have to help, whether it's hospitals, universities, whatever the case may be. I think we all have an obligation to dig a little deeper to help these very important institutions in our great country.

The banks are doing extremely well right now; we're in that part of the cycle where bank profits are doing quite well. I can assure you that as a corporation we're also looking at our donation policy and we're also trying to dig a lot deeper into helping our institutions in Canada and in Ontario.

**Mr Crozier:** If you ever do find out that answer, perhaps you'll share it with the committee.

**Mr Lowry:** I certainly will.

**Mrs Sandra Pupatello (Windsor-Sandwich):** Good morning, Mr Lowry. I have one question. I'm just looking for your opinion on the privatization of universities. Do you agree with that policy?

**Mr Lowry:** I wish, again, that I had a lot more expertise in the privatization matter. Unfortunately, I'm not an expert on that, but my sense would be that I wouldn't want to see wholesale privatization of our educational system in Canada. I would need to do a lot more research and have that opportunity to come back to you with a much better response.

**The Vice-Chair:** We'll move on to the New Democrat caucus and Mr Kormos.

**Mr Peter Kormos (Welland-Thorold):** Mr Lowry, I look at the brief bio here and the fact that you were recommended by Ryerson Polytechnic University. Does that mean by the current board of governors or administration within the university?

**Mr Lowry:** By the current board of governors, Mr Kormos.

**Mr Kormos:** That's a process which is, in my view, impeccable, one that I wish were followed when it came to district health councils, because it's required of district health councils of course.

I haven't got the slightest idea why you were called before this committee to be interviewed or interrogated about your qualifications. However, would I ever love to talk to you about bank profits and user fees, the way banks are nickel-and-diming little people like the folks in Welland-Thorold to death and generating exorbitant profits, but that's a different forum and a different time and a different place. Thank you kindly.

**Mr Ford:** Mr Kormos is not a shareholder.

**Mr Kormos:** But I am a depositor.

**The Vice-Chair:** Thank you very much for coming before us today, Mr Lowry. Good luck in your future endeavours, and we will be voting later today on concurrence re your appointment. You were very helpful.

**Mr Lowry:** You're welcome. My pleasure.

THOMAS REID

Review of intended appointment, selected by official opposition party: Thomas Reid, intended appointee as member, Ontario Lottery Corp board of directors.

**The Vice-Chair:** I call forward Mr Thomas Reid. Thank you for being here today, Mr Reid. We look forward to our short time with you, our questioning. Do you have an opening few comments you'd like to make or do you want to just move into the questioning?

**Mr Thomas Reid:** I think going directly to questioning would be preferable.

**The Vice-Chair:** Okay. Just know that you're welcome to avail yourself of the water that's there if you find yourself getting thirsty, or if it gets hot in that seat as it does from time to time. We'll start this round of questioning with the Liberal caucus.

**Mr Crozier:** Good morning, Mr Reid. How are you this morning?

**Mr Reid:** Fine.

**Mr Crozier:** Good. I'd like to talk to you a bit about video lottery terminals. Some who consider themselves to be knowledgeable in the field would call video lottery terminals the crack cocaine of gambling. Do you have any opinion on that comment?

**Mr Reid:** At this point I know as much about video lottery terminals as I do about crack cocaine, and I'm not an expert on the latter.

**Mr Crozier:** Well, what do you know about crack cocaine?

**Mr Reid:** Absolutely nothing. I suspect that Ontario will go through a process of acquiring more knowledge and will probably — as I understand, government policy, or the wish of the House, is to implement video lottery terminals on a very slow and gradual basis with a per capita machine representation less than the rest of the provinces of Canada. Provided they do that, provided they go and learn and make sure it goes in well, provided they commit to the process of addictive gambling funding that they have promised to do, I think it'll be a balanced implementation.

I think the plan for Ontario recognizes this is a reality in pretty much every other province in Canada, perhaps with the exclusion of British Columbia. It is not a new phenomenon. I think as I read the government's intentions, the House's intention is there's more of a commitment to work with the particular percentage problem of gamblers this might affect in a negative way. I applaud that recognition and I think the art of execution is proper pace.

**Mr Crozier:** As a member of the corporation's board of directors — and I don't want to put words in your mouth. You say that you feel the government wants to proceed at a reasonable pace towards this. What would your demands be as a director of that board when it comes to introduction of VLTs, study of impact, distribution of VLTs, use of the money from VLTs? Where would you come from on those major issues?

**Mr Reid:** First of all, I would want to make sure, as the government or as the House has recognized, of the use of the Gaming Control Commission to make sure that it is properly licensed, investigated, that the licensees are reputable, that it is in a controlled environment. I would want to have a desire to make sure that was absolutely disciplined, so that it was as reputable as the program could be made.



I think it is a reputable program, well handled. The way it's intended to be implemented and the dual role of the lottery commission and the gaming commission I think is a proper one. I would look to see that comes off well.

I would like to understand as early as I can exactly what the program is for addictive gambling, not just as it pertains to video lottery terminals but gambling per se; what the amount of funding is, where it's going to go, what the focuses are going to be, what the mandates are going to be. I would look to see that those things are kept in balance as to where the fund goes and where the proceeds go. As long as it ends up in the proper agencies of the people of Ontario and the citizen benefits as a consequence, then that will be my focus, to make sure that it's well handled.

**Mr Crozier:** Just to clarify one thing, sir. You've used the terms "government" and "the House." Certainly they're the majority and it would appear as though the government favours this, notwithstanding the fact that Mr Eves and Mr Harris have spoken out repeatedly against them in the past. But it is the government that wants this; I suspect when it comes down to the nitty-gritty, there will not be unanimous support in the Legislature.

You've mentioned the introduction of VLTs in a controlled atmosphere. The government would indicate that they want to move to put them in tier 1 racetracks which I would suggest is a controlled atmosphere, that they want to put them in what are going to be established charitable casinos, which to the degree we can, will be controlled. How do you feel about putting them in bars and restaurants?

**Mr Reid:** I've just been doing early reading. I have not studied this subject in depth. But I understand the concept is to put them into four-walled environments. In other words, it will not be in an open area. It will not just be walk up to the bar where youth under a certain age can get at it. As I understand it, there's probably a lot of wallboard in back rooms at the moment waiting for this to get off the ground so they can build secluded areas which can be controlled. If they do that, do it well, control access and go through the normal processes that liquor establishments and restaurants do to control youth from getting at those terminals, as long as the licensee stands the chance of punishment, such as losing his licence if he doesn't control the process, therefore the disciplines that exist as they do in other fields will be applied and I think should be enough to control the situation.

1030

**Mrs Papatello:** The Ontario Lottery Corp uses its funds for particular purposes, health — I don't have a list in front of me, but do you see that where the money goes currently should be expanded at all, there should be any change in policy in terms of the use of revenues through the Ontario Lottery Corp?

**Mr Reid:** I go in with no closed mind. I'd be open to some good input as to where better alternatives for the use of the money would be. But with 85%, as I understand, roughly going to hospitals, with the balance going to athletic development of our youth, those cannot be considered bad things. If someone comes along with a

variant, a new alternative, a different spread, I think those are pretty high benchmarks they'd have to surpass. So I would be of the mind I'm going to have to be talked into something going in a different flow until it's proven to be a better purpose for the citizenry.

**Mrs Papatello:** What do you think about applying it towards the debt of the province? What do you think about applying the revenues from VLTs, for example, as a new revenue stream towards the Ontario debt?

**Mr Reid:** I guess, being in the business world, I don't like tax in too many forms, so I would suspect that the people of Ontario — you'd want to talk to them about it. If I voted as a private citizen, I'd be against it.

**Mrs Papatello:** Have you been to Windsor?

**Mr Reid:** I have been there to take baseball teams to play in tournaments. I've not been to the casino, if that's the question.

**Mrs Papatello:** That was my next question, if you'd been to the casino to see the —

**Mr Reid:** No, I have not.

**Mr Gravelle:** Good morning, Mr Reid. I want to ask you your thoughts on some specific aspects of the Ontario Lottery Corp, how it runs. To be honest about it, I have a constituent who won't mind my using his name. His name is Mr Tom Stubbings, who owns Fred's Variety in Thunder Bay. He's come to see me about some actual concerns he has about the lottery corporation in terms of basically, I guess, how they spend their money and how they run their operation. Perhaps it isn't fair, but I wanted to use this opportunity to talk to you.

Certainly, he has some great concerns about the fact that they operate in a very independent way. There are apparently about 10,000 or 11,000 outlets across the province in terms of distributors for the Ontario Lottery Corp, in terms of all the games. The feeling really is that there is an awful lot of money that's frequently spent. For example, they will send their packages out to all the outlets by courier, and frequently the packages have to be corrected or they're not very useful to the dealers themselves. This is one contention that's made.

There's certainly the sense of the dropping of the advertising of the "Did you win?" which means people have to come in the store and ask the proprietor what the winning numbers are, which can be a problem when there isn't some advertising. There are a number of things that certainly upset this particular gentleman and I suspect there probably are other people concerned about it.

What I'm leading to, because I appreciate that I haven't formed anything like what is probably a real question: Do you believe it's fair to say that the people who are the outlets, the dealers, should have an opportunity or some access to some kind of input in terms of some of the decisions that the lottery corporation makes? In other words, if they've got some ideas they think will save money or if they think a lot of money is being spent that is somewhat frivolously spent, if they believe that's the case, do you feel the corporation should be communicating with those people and saying, "Okay, you're the guys who are on the ground; you probably know what works," even in terms of some of the games they decide to develop and some of the lottery games they develop?



My feeling is that they should, but I obviously wanted to get your thoughts on that.

**Mr Reid:** Not having met too many of the dealers yet, and only having sat in on one meeting as a pure observer to listen to how the board functions, management functions, it's a little early for me to have too many opinions. I simply would say this: I think it's a good thing to take input at any time. There are methodologies for dialogue. If the franchise is basically the buyer of the ticket, if the franchise is basically the distribution system which is the Mac's store or whatever it might be, I think it's never wrong to get input. There are forums such as focus groups where you can sit down and talk to the buyer of tickets to formulate gain, to formulate concept.

**Mr Gravelle:** I don't know whether the corporation does that, to be perfectly honest.

**Mr Reid:** You could do the same thing with the dealer group, and if that is a worthwhile thing and it helps formulate, it being better in toto, I would not be against that. I don't know if that process exists either, but if it does not and it's helpful and someone asked me if I would recommend that, I would always recommend dialogue.

**Mr Gravelle:** I bring it forward with the hope that, presuming your appointment goes through, indeed you would suggest that there is some unhappiness out there about how it's done. Quite frankly, the major issue is money that is being spent to administer the program that perhaps is excessive. The government members, I presume, will be concerned about this as well. If they are really spending an extraordinary amount of money on shipping stuff out that ends up being useless, for example, can't be used — because this is what this gentleman told me: "This stuff is not useful to me. I'm not actually using it." We're talking of 11,000 separate shipments to different places. So that would be a concern and obviously —

**Mr Reid:** To a great degree, I think we could agree that it's always in the eye of the beholder, but I'm looking forward to the reading material on the review that was just done by government of the lottery corporation. As you know, they've undergone a major expense review and there have been considerable reductions made. I applaud all of that. There may be times when of the 11,000 people who like it, 9,000 like it and 2,000 don't. It's in the eye of the beholder to a degree, but if there's waste, I think it's a responsibility to always examine that and get rid of it. If there is input to be gotten that can aid that in a more meaningful way, then we should seek it.

**Mr Gravelle:** It certainly makes sense to me.

**The Vice-Chair:** Mr Gravelle —

**Mr Gravelle:** Let me make one more quick point.

**The Vice-Chair:** Actually, you're into 12 minutes now.

**Mr Gravelle:** Wow. Thank you very much for a little more time.

**The Vice-Chair:** We'll move on to Mr Kormos. I'm just staying in the vein of Mr Kormos, who was very clear about the time lines when we started off this morning.

**Mr Kormos:** I note that you submitted your application to the public appointments secretariat. How did that come about?

**Mr Reid:** Just as a little background, I was not born in the province of Ontario. I've been here 21 years.

**Mr Kormos:** I noted you were from Winnipeg. Stanley Knowles could well have been your MP.

**Mr Reid:** Absolutely. In fact, I grew up in that district.

**Mr Kormos:** God bless you.

**Mr Reid:** David Orlikow and that whole battery of good NDP candidates.

**Mr Preston:** That's an oxymoron.

**Mr Reid:** That's an oxymoron? Okay. I'll leave that to you.

**Mr Kormos:** Don't talk about Stanley Knowles that way.

**Mr Reid:** I'll leave that to you. Quite simply, I've been here 21 years. I've managed to raise a family and have a good life in the province of Ontario, and you feel like a little payback time. So I've been quite vocal wherever I could that if there was an opportunity to take whatever training I had and apply it to help the citizens of Ontario in any way I could, I would volunteer. So I volunteered.

**Mr Kormos:** Sure, no quarrel, but did you specifically seek out an appointment to this board of directors?

**Mr Reid:** No, I did not.

**Mr Kormos:** It was a matter of making yourself available for any position that you might be suitable for?

**Mr Reid:** I think that's correct.

**Mr Kormos:** So there was no specific interest in the Ontario Lottery Corp?

**Mr Reid:** No, none at all.

**Mr Kormos:** I have no quarrel with your background and your ability to serve, and serve well, on this particular board of directors. You've been here since 1970, so you've been in Ontario long enough to recall the genesis of gaming in Ontario, the tickets where you tore them open and it was win, lose or draw, basically the very beginning of what are now things like Lotto 6/49.

You're joining — I should ask some of my colleagues — such distinguished people as Rob Welch, whom I know well, who is down from my neck of the woods and who is extremely qualified but of course a prominent former Tory minister appointed by the last government. I'm going to mention that from time to time to these folks when they make noises.

In any event, in gaming in Ontario at its inception, as you may know, people scrambled like mad to get their jurisdictions because the distributors were granted geographic areas. There were fortunes to be made, and people did make fortunes at that point in time. Indeed, there is a suggestion that there may have been high levels of patronage. But the people who made the lotto corp successful were small businesses, because we're talking about an era before the plethora of the Becker's and the Mac's and the 7-Eleven stores; we're talking about an era when they were still by and large the mom-and-pop variety stores.

I've just got to tell you — I'm going to, I suppose, ask some sort of question so that people won't stand in outrage saying that I'm supposed to be asking questions — what I've noted, and this may well be consistent with what Mr Gravelle was saying, is that the little people are more and more being squeezed out of the



process. I appreciate that the Mac's milks, the chains, the Big V drug stores, the high-traffic areas, especially when you're talking about the capital cost of putting in a terminal as compared to simply selling tickets over the counter, have bigger traffic. But more and more I have had complaints and concerns expressed by little mom-and-poppers, the non-chain variety stores, about being denied a franchise in deference to a Big V or a chain store or a chain variety store that's adjacent or across the road.

I've raised in the House instances, for instance, of Brent Warner in Thorold, who was very arbitrarily denied — his licence was suspended after a dispute but then immediately granted to a chain store adjacent to him, which has basically put the boots to his small business where he employs but a small handful of people but where he also supports himself.

1040

I have raised in the House the case of Chris Bahnuk, who works for the company that's contracted to service the terminals. This young man had identified a defect in the operation of the terminals such that a number that was registered didn't produce a ticket. No problem, because the customer simply had another ticket issued, but the number none the less went into the system — this is a young technician — such as to skew, in a very modest way but none the less skew, the integrity of the payout.

He kept calling the Ontario Lottery Corp to report this. The Ontario Lottery Corp then leaned on the company he worked for to fire him. He of course was fired and has been stonewalled, brickwalled, if you will, by freedom of information and it's been a long, painful process getting cooperation from the Ontario Lottery Corp because nobody wants to admit or acknowledge culpability.

Why do I address you in this way? I have certainly no quarrel with your appointment. You're an excellent appointment to this lottery corp. All I say to you is that the lottery corp has grown into a mammoth monster. It's grown into a big business in its own right and I believe has become very isolated from the bona fide small business people who helped make that lottery corp a success in the first place.

You also know that the government is contemplating — not just contemplating — is in the process of abolishing the Gaming Control Commission and the Liquor Licence Board of Ontario and merging them into a schedule 3 agency such that there will be no successor rights by OLBEU or OPSEU from the two respective agencies. They're going to be merging the gaming commission and the liquor licence board and probably bringing parts of the LCBO into this new schedule 3 agency, with incredible impact on the workers there. The Ontario Lottery Corp, at the end of the day, is going to have obviously nothing to do with the regulatory process. The Ontario Lottery Corp, in so far as we're aware so far, is simply, and I'm referring to VLTs, going to have ownership, if you will, of the VLTs and responsibility for placing them and so on. There's a really Byzantine new structure being created, this new board, this new agency, which will not have direct political accountability.

Just as the Ontario Lottery Corp has no direct political accountability because it doesn't serve under the control, it's an independent agency, I think there's going to be increased concern about the regulatory body similarly not having direct political accountability. I raise these because they're observations. I simply want to leave you with them. I hope that over the course of time you might help to sensitize this board to some of the concrete problems that are being experienced.

Mr Gravelle referred to these during the course of his comments to you. I say no more. I've written to the Provincial Auditor asking him to conduct a review of the Ontario Lottery Corp because I suspect it will be an incredibly enlightening experience and one that would benefit all of us.

*Interjection.*

**The Vice-Chair:** No, you didn't ask a question, but that's okay. We'll move on.

**Mr Bob Wood:** Some chairs would have cut you off.

**The Vice-Chair:** Some chairs, yes. He was nice to me this morning.

**Mr Bob Wood:** True.

**The Vice-Chair:** Quid pro quo, I think. The government caucus, any questions?

**Mr Ford:** Thank you for coming this morning, Mr Reid. I look at your background, similar to the other gentleman who was here this morning, and it's excellent.

I've got a couple of questions here for you. Could you please tell the committee why you would want to serve on the Ontario Lottery Corp board of directors?

**Mr Reid:** As I referenced — Mr Kormos was giving you the brief history of the corporation — I basically offered my services to try to help where I could. I think principally one assumes they go through a process of trying to match training to need, if you will, on a board, and basically, because I come from a financial background out of the banking industry and I'm a retailer, if I look at the lottery corporation, one could characterize it as a financial services kind of business. That really is my skill set, if I have any at all, and I think it's a match: square pegs, square holes; round pegs, round holes.

**Mr Ford:** You realize that there are probably 20,000 or more VLTs in operation in the grey area right now that they just operate, and they don't pay any tax on them or anything else. It's a cash flow for I guess the underground economy, and this is a tremendous amount of money. That's why they were questioning why the government wants to get involved in this. This is one of the reasons why, so that we legitimize the VLTs and get some of that revenue going into the government coffers.

There's one other question: What will be your priorities in orientation as intended appointee of the board? What will you do first to bring up your knowledge of this appointment?

**Mr Reid:** My normal practice, when I get into something new, is to try and first of all get as much reading material as I can: history of trends in the operation, understand what its mandate is. I understand it's under review, and I forgot the language of government mandates, what they call them, but I understand it is currently looking to be revised. It's to understand that, to understand what the math has been over time, to understand



what the franchise is, both with the buyers and with the vendors, the distribution channels, to simply look at what are we trying to do in the sense of maximizing return for purposes of putting it to the hospitals or whatever and then see if there's opportunity to lend retail experience to maximize growth.

**Mr Ford:** You're going to be well aware of the grey area machines that are in operation now, the vendors or other people can adjust the payouts on these machines, and that's why we want to legitimize these VLTs. I don't have any questions other than that.

**Mr Newman:** Thank you, Mr Reid, for appearing before the government agencies committee today. Looking at your résumé, we can see that you're a very busy person. In addition to being executive vice-president and chief operating officer of the Eaton group of companies, a director of seven other companies, corporate campaign chairman for ShareLife for 1996, council member of the board of trade and a director of the Retail Council of Canada, with all that on your plate, as an intended board member, will you be able to have the time in your schedule to attend board meetings in Toronto as well as Sault Ste Marie?

**Mr Reid:** I would. I understand it's sort of a meeting-a-month kind of mandate and subcommittees of up to four, and maybe you sit on one of those. Having said that, I understand the potential for time demand. I would not have stood if I would not be prepared to meet those time schedules.

**Mr Doyle:** Perhaps the question I'm about to ask you is somewhat related to some of the comments and questions by Mr Gravelle and the comments of Mr Kormos. I wanted to know if you could tell us how you see your experience in the retail business would affect your ability to speak to the concerns and interests of the thousands and thousands of small retailers who are either agents or distributors for the corporation.

**Mr Reid:** I'm a retailer by 27 years' training. To a degree, that makes me a retailer. Our business is all about listening to the needs of your target customers, having dialogue, listening to input, shaping winning ways both for the seller of the product and the buyer of the product, so I think the experience of defining our customer is taking input, trying to shape product that helps maximize the revenue and return, but at the same time listening to the needs for fairness among all the constituencies is what the retail business is all about. I don't want to be disrespectful, but I look at the lottery corporation as really being in the retail business.

**Mr Doyle:** Yes, and the difference in size, say, of the organization you've been with for so long as opposed to a small retailer, you don't feel that there is any kind of a difference here?

**Mr Reid:** There surely is. They make all the money, as opposed to the big retailers.

I took the liberty one Saturday morning of spending half a day in my local 7-Eleven with a sole proprietor, if you will, and actually walked the store and ran the terminals and sold the tickets and just dialogued to try and understand. Once you get through positioning, emotion, the little personal politics, the concerns are not very different.

**Mr Bob Wood:** Those are our questions. Thank you, Mr Chair.

**The Vice-Chair:** That's the end of the questioning to you today, Mr Reid. Before you leave, I just wanted to let you know that you're being appointed to the board of directors of a corporation that is very important to me in that it's situated in Sault Ste Marie, which is the constituency I represent. I want you to know that they are very much a good corporate citizen in my community and the people who work in it are some of my neighbours and friends and all of them are pretty outstanding individuals. We'll look forward to your coming to the Sault from time to time to meet and to avail of some of the hospitality we have to offer. Good luck.

1050

**Mr Reid:** I understand we're there next week, actually.

**Mr Crozier:** Just for some political — excuse me, historical — perspective —

**Mr Kormos:** That was a Freudian slip.

**Mr Crozier:** I think so. As far as I know, the association of Kinsmen clubs was the first to start a lottery in the province of Ontario, of any degree. I had the privilege of handing out the first \$50,000 grand prize for a lottery in the province of Ontario 20-some-odd years ago. Like many things, and really that slip about political, it was such a good thing that the government decided they'd better get into it at that time. It also grew. I mean, it was bigger than a service organization could handle. But it was quite a thrill to hand out that first prize, and it was in my own community, because I was governor of Kinsmen at the time. So I've followed lotteries from their inception.

**Mr Kormos:** If I may, and I don't want to be partisan here, but Mr Crozier claims, as he does, but I beg to differ — when the last government introduced gambling in Ontario, clearly none of its cabinet had ever been down at any of the firefighters' stags on King Street in Crowland, where the true source of gaming was in the province of Ontario.

**Mr Crozier:** The significant lotteries.

**The Vice-Chair:** If we really want to get into that discussion, I grew up as a practising Catholic at bingo games, was weaned on that business.

Thank you very much. We appreciated your being here. It was quite helpful.

## LOUIS VEILLEUX

Review of intended appointment, selected by official opposition party: Louis Veilleux, intended appointee as member, Northern Ontario Heritage Fund Corp.

**The Vice-Chair:** For the next interview, Mr Louis Veilleux, I'm going to trade places with Mr Kormos again so that I can ask some questions, if that's okay with the committee.

**The Acting Chair (Mr Peter Kormos):** By God, Chair twice in one day. If my House leader or whip find out about this, they'll be absolutely apoplectic.

Mr Veilleux, we have half an hour. You are permitted an opening statement or comments, which time is deducted from the time allotted to the government caucus. Feel free, or we'll get right into questioning.



**Mr Louis Veilleux:** No, I'd just like to take a couple of minutes to introduce myself. Good morning to everyone. I was born and raised in northern Ontario. I resided in Kapuskasing for all of my life, with the exception of when I went to post-secondary education in the University of Ottawa, resided in the Ottawa area for five years, then in Montreal for two and I decided to move back to the north; that's where my roots are. All my family's there.

My work experience is that I've worked in the private sector. I owned my own business for six years and then I sold it and I presently work for the 6/70, which is a regional economic development group. I'm quite proud of the accomplishments that have been achieved at the 6/70. We have a group of municipalities that are finally working together as a region, versus the individual approach. Some of the projects that we have been successful in getting off the ground: a mushroom project, the implementation of a small dimensional sawmill and others.

I'm a school board trustee. I've been a trustee for five years. I chair that school board; I have been chairing now for two years. It's a regional board. My community involvements are mostly related to the activities of my children — minor hockey, minor ball, summer camp for youth. I was very pleased and proud when I heard that I was a possible appointee for the NOHFC. I'm a northerner at heart and I'm hoping that my appointment will be accepted and look forward to working on the NOHFC.

**Mr Martin:** I'm going to ask you first off a question that is sometimes seen in this forum as offensive, but I suggest to you for a second that it's not, in that it's part of the questioning that I will try to get into in the 10 minutes we have. Are you a member of the Progressive Conservative Party?

**Mr Veilleux:** Yes, sir, I am.

**Mr Martin:** You are. So you support the program, the agenda, of the present government in Ontario and for northern Ontario?

**Mr Veilleux:** Yes, sir, I do, but we're talking here about the NOHFC, so I support the decisions that have been taken for NOHFC, yes.

**Mr Martin:** The NOHFC, as you know from probably having done a bit of research in preparing for today and in expressing interest or agreeing to sit on it, is one of the very important arms of this government in the north to stimulate the economy and invest in various and significant ways in some of the smaller communities, larger communities, to make sure that economically there's some stability and that there's some ability up there to generate sometimes the kind of investment that isn't always there because not everybody understands the benefits and the assets of northern Ontario. So certainly, this government's agenda for the north, given that the NOHFC, as I said, is a very important arm of it, would be connected and have some particular relevance.

This government has indicated, for good or for bad, that it wants to get out of the face of business, and that's an ideological position they take and support and are able to justify. However, those of us who work in the north, and you in particular and me in particular — because you come from a community, Kapuskasing, where government over the last four or five years has played a major

role in the stabilization of the major industry that supports that community. In my city, Algoma Steel saw some major leadership given by the previous government in the stabilizing of that industry. The fact that this government is wanting to get out of direct support of and involvement directly in assisting business in the north is problematic to some of us. Does that cause you any difficulty, and in your role as NOHFC director, will you have some difficulty in delineating between what's important, given the mandate of NOHFC, and what in fact it can do, given the agenda of this government?

**Mr Veilleux:** At my employment, no, I do not have any difficulty, because I've seen both sides. I've seen some projects turn sour because they tried to modify the project just to meet the criteria of a certain program. So workwise, no, and as a director, no, I have no problems with that. A director is just part of a board and the mandate is given by the government of the day and we try to take decisions that will best impact northern Ontario.

**Mr Martin:** So given that the government doesn't want to be involved in any significant way in working with business or helping business or being directly related to the stimulation of new business in the way that historically and traditionally in northern Ontario we've seen a lot of and your obvious reference to supporting the agenda of the government and seeing the NOHFC as supporting the government's agenda, if in fact it became obvious that there was need for the NOHFC to speak more loudly on behalf of the constituents that it represents, which are all of us who work and live in northern Ontario and want to have a livelihood up there for a long time to come, if there was some conflict between what it is that we felt we needed — and I'll give you an example.

Algoma Steel, when it was in difficulty in Sault Ste Marie in the early 1990s, needed some major assistance from government. The Ontario government jumped in and became very proactive in working with the partners. The then Conservative federal government said: "No, we're not interested; we're out of here. It sinks or swims, depending on the market conditions." We know ultimately what the result of all of that was and what the result would have been had we allowed the federal Progressive Conservative government to have its way. On which side of the fence would you land in a scenario such as that, given your very important role as a member of this very, very significant organization in northern Ontario?

1100

**Mr Veilleux:** Sir, you know, you've lived quite an experience in the Sault when the transactions were occurring at Algoma, and so have I with the Spruce Falls deal, and I'm certain that we could sit here probably for days on end just describing the events and all of what transpired and how it transpired. Both are similar, but the events were probably very different.

This government has said that it was out of subsidizing the private sector, but the fact that they replenished the fund with the dollars and have made the commitment to continue putting in \$30 million per year is demonstrating that they do want growth and diversification in northern Ontario.



**Mr Martin:** Which brings me actually nicely to my next question, if I have some time. They have replenished that fund; however, at the same time they've taken literally millions of dollars out of communities through the various mainline ministry programs — municipal affairs, education, social services — which supported communities and stabilized communities in the north. So now this token return of money that was there anyway, it was just in a different fund, in a different bank account, to the NOHFC at this particular point. If it becomes obvious to you that what happens is that this money is spent now, even though there's not as much of it, in places where normally money was spent by mainline ministries and it becomes a bit of a shell game that's happening, would you have some objection to that or would that be something that would be okay as far as you're concerned?

**Mr Veilleux:** The decisions that the government has taken in other sectors — you mention education, health and so on — are really not directly linked to being a director on the board of NOHFC.

**Mr Martin:** I suggest to you that it is, because every penny that goes into northern Ontario ultimately ends up in the economy, circulating, becoming part of the economy. Every dollar that you give to a person on welfare, for example, is a dollar spent in a corner store. Every dollar that's spent on education is a dollar that's not collected via the property tax. So it's all interrelated, you can't separate one from the other, which is what this government is trying to do.

What I'm suggesting to you is as an NOHFC organization that was traditionally set up very focused to support and help the development of business and industry in the north so that we would have a livelihood and an economy up there, if it turns out that that money is going to be spent, as we think it probably will, in these other areas in order to take a bit of the edge off of the very difficult situation that it's creating — for example, in Sault Ste Marie we figured that by the time this day is done —

**Mr Ford:** Mr Chair —

**The Acting Chair:** One moment. Quite frankly, I've stopped the clock, so go ahead, sir.

**Mr Ford:** Mr Chair, are we supposed to be asking questions here or giving lectures?

**Mr Martin:** A little bit of both.

**The Acting Chair:** Yes, sir. Thank you kindly. Go ahead, Mr Martin.

**Mr Martin:** In Sault Ste Marie, the studies that we've done show that we could conceivably end up losing 1,700 to 2,000 jobs because of the direct decisions of this government and its various line ministries, which will mean if you give the \$2 million a month now that's not going into the Sault because of the cutbacks in social assistance, that we'll lose probably upwards to \$50 million a year out of the economy of Sault Ste Marie. That has major economic consequences for us.

If it turns out that the NOHFC becomes simply a fund to try and shore up those other areas as opposed to what the mandate was by the government, which was a Conservative government of the day, when it was put in place, will you have some difficulty with that? Will you be willing to stand up as a northerner and challenge that?

**Mr Veilleux:** Sir, I understand very well when you're talking about spinoffs and impacts. I work almost on a daily basis with a model that's called a community development impact model and how everything is interrelated, but the responsibility and the role of a director of NOHFC will be to take the best decisions possible to impact most positively northern Ontario with the mandate that will be given to us.

**Mr Martin:** And you will, though, stand up for Kapuskasing and the north as opposed to supporting the agenda of this government, which is destroying the north, in your role as a member of that board.

**Mr Veilleux:** As a director of NOHFC, I will do to the best of my capabilities with the directions and the mandate that will be given to us. I cannot give myself responsibilities other than that.

**The Acting Chair:** Thank you kindly, Mr Martin. It is now open to the Conservative caucus members to make statements or ask questions.

**Mr Leadston:** I won't be making a statement about the north. Even though I live in the south and was born in southern Ontario, I enjoy the north. I have a great many friends up there and I have, I believe, the same kind of passion that you have for northern Ontario as Louis has in his role and the fact that he just came back there.

I've known Louis through school and it's good to see you again here this morning. I guess it's a personal disappointment, as a candidate in the June 1995 election for this government, not to have succeeded in that goal, and you've achieved many goals for the northern communities. I guess it was a personal disappointment, but nevertheless that's democracy in action and the type of man that you are, you just pack up and get on with life and work in your community.

Your role as a board of directors — and I look at the list on page 6 from the research service. There is another individual, Sylvie Doucet, who's also with economic development, and a background — in fact, I think the background of all the directors who are there, unlike other boards, where it tends to have a focus from, say, a financial area or another area, this one here I think symbolizes the north, because it's very symbolic, it's very diverse from backgrounds and interests and certainly expresses the fabric of the northern community.

Louis, in your background, particularly in economic development, I guess there would be a tendency, as was alluded to, that there may be some focus to Kapuskasing. But knowing you, you would be looking at northern Ontario as a whole. Maybe you could expound on that in terms of the issues facing the north, the issues the board would face and your role in time to balance those concerns. Maybe you could just express your thoughts.

**Mr Veilleux:** I view my experience in economic development as a real asset. Northern Ontario is 90% of the area but only 10% of the population and it's very much dispersed. We've looked at all sorts of projects. We quickly realized that it's very difficult for one community or even one region to be able to sustain a manufacturer or small manufacturers. We really have to look at the broader picture.



On the mushroom project that we worked on, if we would have looked at our area alone we would never have been successful at getting it off the ground. But when we looked at northeastern Ontario, we quickly realized that there was a market of 750,000 pounds of mushroom in northeastern Ontario and to have a feasible farm you need 350,000. So, yes, we were successful at putting the farm together, but it's serving all of northeastern Ontario.

Another project we're working on is a trading house, and we quickly realized that even northeastern Ontario was not large enough and did not have enough economic activity to sustain such a venture, that we needed all of the north.

I have a broad enough vision of all of the north to be able to take the best decisions for the north by sitting on NOHFC.

**Mr Leadston:** Thank you very much. Very good to see you again this morning.

**Mr Ford:** Mr Veilleux, I was just listening to the comments from across the floor about Algoma Steel, and he's telling you all the problems they had in Algoma Steel. I had a friend who was doing \$600 million worth of business and couldn't fulfil their contracts. This was a highly successful company, and I can show you the films on it. This was a highly successful company that was doing good business, employed probably 10,000 or more people at the time, and the union said they were going to close it down if they didn't get their demands. This went on and on and on. This company could not fill their contracts with the American companies. My friend owned a couple of them, and he was so frustrated with these people it's unbelievable, and it's like this person sitting across there saying all the problems for the workers. Some of those problems they created themselves, and I have proof and fact of that matter.

1110

Anyway, getting on with that, sir, what are your qualifications for this position as an economic development officer for Kapuskasing? Do you think you are fairminded about the needs of the region?

**Mr Veilleux:** Yes, sir, I think I am, and because of the experience that I've gained and the expertise, on numerous occasions there are other agencies or organizations that will come in and consult and ask me my opinion on projects or the general economy, not only of the region but all of northeastern Ontario.

**Mr Ford:** Good. You were a Conservative candidate. We've gone through that.

The current government has returned — as they say, it was in another fund, but they didn't know where it was for a long time — \$60 million, and they are also committed to \$30 million annually to the fund. Let me again suggest that some of these problems that they've had in the north have been self-inflicted through not using a little common sense. They've learned some hard lessons up there about business, and some of these contracts, some of these companies they had contracts from were long-term contracts. They didn't fulfil those contracts, and that's why they ran into the situation they ran into. I think these people have learned a good hard lesson, and the next time they get that Algoma Steel rolling again, I

hope for their own wellbeing that they keep it going, because these were all high-paying jobs they had at the time.

**Mr Doyle:** I wonder, could you tell us, Mr Veilleux, why you'd want to serve on this corporation board?

**Mr Veilleux:** Because I'm a northerner at heart. I moved to southern Ontario for post-secondary education, was in the workforce for two years but decided to go back home, and I view the north as still being an area where there are opportunities.

The dollars that this government has put back into the heritage fund was good news for the people in the north. Everybody is very much excited, looking forward to what exactly the dollars will be utilized for, and \$120 million is a considerable amount of dollars for northern Ontario, and everybody is hoping that the best decisions will be taken to impact positively.

**The Acting Chair:** Mr Preston, very quickly.

**Mr Preston:** Very quickly, Louis will do a hell of a job. Thank you very much.

**Mr Crozier:** Good morning, sir. In looking over your experience, you're the development officer for Kapuskasing, or at least the project coordinator. Can you assure this committee — because you will have access to information as part of your position — that there will be absolutely no conflict of interest in that the information you may receive about parties interested in having development in northern Ontario won't be used for the benefit of Kapuskasing over any other community over which this fund may have some jurisdiction?

**Mr Veilleux:** With my board, it is understood that there is the question of confidentiality, not only within OHFC but also with the project I am working on. More often than not, the board members are not familiar with what I am working on. There are many northerners who are tunnel-visioned and will view their community only, but I have enough experience in this field that I have gone beyond that and will look at benefiting all of the north. Because EDO for Kapuskasing is not specifically for Kapuskasing but it's the region as a whole and we work with other regions also. We work with Timmins, we work with Kirkland Lake, we work with the New Liskeard area, and what benefits one benefits all, so yes, sir.

**Mr Crozier:** It won't be easy to keep that conflict separate and I certainly wish you well in doing that.

**Mrs Papatello:** Welcome to the committee this morning. Tell me, after you decided to run for the Conservative Party in the last election, were you aware that they were going to change the mandate of the fund for the north to not assist individual businesses, or did you have the idea that was an appropriate move and felt comfortable running as a candidate with that?

**Mr Veilleux:** The question is if I was aware at the last provincial election if assistance to private sector was going to be removed. Is that the question?

**Mrs Papatello:** To the north through this fund, and you are from the north, a northern candidate.

**Mr Veilleux:** When I ran in the election, the decision of running was wanting to be a stronger voice for the north, wanting to serve the electorate of Cochrane North and northern Ontario and all of Ontario. I really did not focus at the time on —



**Mrs Pupatello:** Specifically this fund.

**Mr Veilleux:** Specifically on that.

**Mrs Pupatello:** If you have a situation arise today like the Algoma Steel situation, would you fund Algoma Steel if you could do so today? Would you have done what the last government did in funding that project? At the time, did you think it was appropriate?

**Mr Veilleux:** Ma'am, it's as I said, every project is an individual project.

**Mrs Pupatello:** I'm thinking of that one individually. Would you fund it? Would that have been your decision?

**Mr Veilleux:** I'd have to look at all the details before I give you a straight-out answer, yes or no.

**Mrs Pupatello:** You were involved specifically in saving the pulp mill. You were on the committee to save the pulp mill in Spruce Falls with a number of others, to save that particular company, which is a private company. In doing that you've certainly indicated your support for that northern fund being used for the private sector, and that in fact is the most significant change in the mandate of the northern fund. How do you feel about having been on a committee to save that particular company and now going on the board of the organization whose mandate will no longer do that?

**Mr Veilleux:** I don't know for a fact whether NOHFC participated financially in the Spruce Falls deal. Did they?

**Mrs Pupatello:** Yes, it was looking for support from the fund and you were assisting in doing that, so I'm suggesting that —

**Mr Veilleux:** Because we had a business plan as a community. It is a success story and there are many who want to take part, but —

**Mrs Pupatello:** I guess I just wanted to mention to you that it's clearly a significant reversal in position to have been involved with a specific company to save the paper mill and now you would go on the board of a fund which will not save the industry.

Another point that was alluded to earlier: When you have a position such as project coordinator for the Kapuskasing area economic branch there, that is a 24-hour job, isn't it? Isn't it the kind of management position that you just are on all the time? No matter where you go, social activity, you're always sort of working, I suppose. Would you agree?

**Mr Veilleux:** Yes, when you're viewed in the community, you're always viewed as the economic development officer for the 6/70.

**Mrs Pupatello:** Yes, that's the same in the town I come from as well. How would you do your job properly as economic officer for those six municipalities actually in the region? How would you do your job properly, if when sitting on the board is supposed to be assisting the whole 50-some municipalities involved in the board? How do you see that's not a conflict? I have a great deal of difficulty in your being able to do your job properly, specifically for your six municipalities that pay you to be that — 24 hours a day as you've agreed — and then going to a fund that's supposed to really look out for the whole area, and it often may be the case, to the exclusion of that area for which you are responsible.

1120

**Mr Veilleux:** The 6/70 has come a long way. The municipalities are finally working together as a group, and also they network with other regions, so you just get accustomed to it. It's just as when I am chair of the school board.

**Mrs Pupatello:** You just get accustomed to what? Excluding your own municipalities in favour of other municipalities?

**Mr Veilleux:** No, ma'am. What I'm referring to is that you get accustomed to the fact that at times you are coordinator of 6/70 or at times you are chairperson of the school board or at times I will be the director in NOHFC.

**Mrs Pupatello:** Do you think the people of your six municipalities would be pleased that — and I'm assuming you're paid by taxpayers — you would be doing the work that would be assisting municipalities other than your own?

**Mr Veilleux:** I think it should be the residents of the area that should be answering that question, but when they heard of my possible appointment, everyone was very proud.

**Mr Gravelle:** Good morning, Mr Veilleux. I have a number of questions I'd like to ask you. I don't know how much time we have left.

One specific concern is, when you were talking earlier, you spoke in terms of being appointed as a director and simply following the mandate of the government. One of the greatest concerns I had, I guess, and I certainly have about this fund, because it's an extremely important fund, is the possibility of the board simply ending up being a rubber stamp for what the government recommends. It was very early in your comments and it alarmed me, I will tell you, because I think it's extremely important that if the board is going to be effective it truly has to have a role to play beyond simply saying, "Okay, that's what you tell us we can do, that's what we can fund." I would like your thoughts on this because my feeling strongly is that the board members should have a true say in what the mandate is. Also, do you absolutely agree with the decision to no longer help businesses and create jobs in that fashion, in terms of the whole support of businesses in the communities and some of the single-industry community help?

So, one, tell me about your thoughts on simply following the mandate of the government and that's it, that's your job, because if so, that truly alarms me; and two, do you support the changed mandate which basically takes out support for business in the north?

**Mr Veilleux:** In the mandate that has been announced and what I've seen in the media and a little bit in the business plan, in what was said by Mr Eves, I don't think the programs are yet defined for NOHFC.

**Mr Martin:** It's a year down the road.

**Mr Gravelle:** It's certainly a lost year. The mandate hasn't been determined, is what you're saying, for how the fund will be —

**Mr Veilleux:** I'm saying that the little information I've had until now is that the programs are not yet defined and that they want to get the board working as quickly as possible on inputting what shape these programs could take. I think the directors of the board will have some



input on how the NOHFC will operate and what programs they're going to be offering.

The second part of the question was whether I support change of mandate. Once we know all on how the programs will be defined, what sectors they will assist, that this government is out of providing subsidies, I have no difficulty with that.

**Mr Gravelle:** If this is a small business to create jobs or keep jobs or keep the business going, you simply view this as subsidies that should be eliminated?

**Mr Veilleux:** It's not as simple as that, sir. If the subsidy is required to keep employment going, you really have to question it. I believe it was Mr Ford who was saying there are difficulties other than just the cash flow. You can't make it as cut and dried as that. The business will continue because of the subsidy or the business will continue because it possibly needs some mentoring, it needs assistance with management. I've seen some big businesses that thought the problem was financing and years down the road realized that it was not only that.

**The Acting Chair:** Mr Veilleux, there are now motions for concurrence. You can stay if you want or you can leave if you want. Mr Wood, I trust you're moving concurrence with the appointment of John Lowry?

**Mr Bob Wood:** I am.

**The Acting Chair:** Any debate? All those in favour, please indicate. Opposed? Carried.

Mr Wood, are you moving concurrence with the appointment of Thomas Reid?

**Mr Bob Wood:** I am.

**The Acting Chair:** Any debate? All those in favour please indicate. Opposed? Carried.

Mr Wood, are you moving concurrence with the appointment of Louis Veilleux?

**Mr Bob Wood:** I am.

**The Acting Chair:** Any debate?

**Mr Martin:** I'm going to oppose this appointment for a couple of major reasons and just a general sense of unease with this. One is, I will not be party to the government using boards and agencies of this government to reward defeated candidates. You've been doing it since you got here.

Here again today we have another example. A person runs for your party, isn't successful at that level in being involved in the government of this province and you find a way to place him on a board or commission that is going to have significant relevance and impact for this province, particularly this commission, which is one of the major ways this government, over a period of years, initiated by a Conservative government, assists directly the business and industry of the north. In the north, as I've been saying to you over the last year that we've been meeting here as a committee, we face particular and unique challenges to our ability to both attract business and industry and sustain it because of the dips and peaks of the economic cycle.

For you at this particular point in time to be bringing forward someone simply because he was a defeated candidate in the last provincial election to me is questionable at best. But more fundamentally, I'm going to oppose this appointment because I don't have the feeling,

from the conversation we've had with Mr Veilleux, that he will stand up for the interests of the north, that he will be more interested in the agenda of this government and will be willing to support and continue to support the actual devastation of the north by way of decisions that are being made every day by this government to withdraw its services, to withdraw its support, to withdraw the resources we need in the north to maintain any kind of stable economy, any kind of stable social network, any kind of stable education and health system in northern Ontario.

Sault Ste Marie alone — I've already put it on the record a few times — is going to suffer to the degree that we will be losing anywhere between \$30 million and \$50 million a year, depending on the impact of the infamous tax break on our community. To suggest that just because this government has returned the \$60 million that we took out and put into general revenue, which we thought was the prudent thing to do at that time to the fund, given the fact that they haven't spent a penny this year and the Liberals were spending and we were spending on average \$30 million a year in the north — this year they spent no money — the \$60 million will be the \$30 million for next year and the \$30 million that they didn't spend in the north last year at a time when we needed it more than ever before because of what they directly have been doing to the economies of our community.

The decision you made in July 1995 to take a quarter of the resources away from the poorest in our community, the most vulnerable, those people who were dependent on social assistance for their livelihood, to take 21.6% out of their pocket didn't simply take food off the tables of families with children and in some instances take adequate, dignified, decent homes away from some folks; it also took, in my community, on average \$2 million a month out of the economy of Sault Ste Marie. That money was being spent in the corner stores, in the malls and around our community. Money that goes into the pockets of working people and poor people does not get spent in Florida, nor does it get invested in offshore corporations; it gets spent in Welland and Thorold and Thunder Bay and Sault Ste Marie and in the north, that kind of contribution to the economy, because it's all integrated. Mr Veilleux said himself that it's all integrated. You can't separate one from the other. It's all part of it. The whole package has a major impact.

1130

This corporation was set up by a previous Conservative government recognizing that we have some unique challenges in the north re the ongoing stability of the economy and our ability to provide services at a level that you in the south take for granted, that the corporation would work directly with business and industry to make sure they had what they needed to stay competitive and to have some longevity in terms of their ability to do business.

I will not be supporting this appointment on these two grounds particularly: (1) I will not work with this government to find ways to reward defeated candidates, and (2) fundamentally I don't think this appointment, this person on the board of NOHFC, is going to stand up strongly enough and be a voice for the north in these very difficult



times to oppose what this government is doing directly to its economy.

**Mr Gravelle:** I will not be supporting this appointment as well. The northern Ontario heritage fund is an extremely important program and, in light of everything that's gone on in the north and some of the issues that Mr Martin has outlined, it becomes all the more important because of what has been taken away from the north and what has been a virtual abandonment of the north by the northern development minister.

The heritage fund is extremely important. The only way it's going to truly work is if appointees to the board are there literally and functioning as more than a rubber stamp. I'm very concerned, based on Mr Veilleux's comments, that he's quite prepared to operate that way, that he'll wait for the direction the government gives him and simply say: "That's fine. We'll follow orders."

I happen to know a number of other appointees to the fund and would support many of them. Regardless of their party affiliation, I would support them because I've spoken to many of them and they've made it clear to me what role they intend to play in terms of having a significant impact on what comes out of that fund. Whether or not they're successful is another matter, but they have made it clear to me that yes, "We want to play an important role; we want to discuss what the mandate is." I remain guardedly optimistic that the board members may have some impact.

When you have an appointee who seems to be literally there to more or less be cooperative in terms of what the government puts forward — I would think the government itself would also want to have board members who would be willing to say: "This is the direction we think this should go. We're the northerners. We can give you some advice with this money." I must admit it seemed pretty clear to me that Mr Veilleux has not given much thought to what aspects of the fund he wants to put forward, which I find odd in terms of his role in his professional life. I find that rather unusual. As a result, I am not comfortable supporting him and will not be voting for his appointment.

**Mrs Pupatello:** I just want to express my concern and that I won't be supporting this gentleman as an appointment. It really doesn't have anything to do with his position as a candidate. I would like to think that had I not been successful in June, I might still be considered valid to serve the Ontario government in some form, so that really doesn't bear weight in terms of my decision. I need to say, though, that when you hold a position that is as significant as this gentleman's is as his full-time employment, I have some significant concern that he really can do justice — sorry, Mr Wood, I was hoping I might get your attention, because I know you'll be voting on this motion.

**The Acting Chair:** Go ahead, Mrs Pupatello.

**Mrs Pupatello:** Mr Wood, I was hoping that I might have your attention, given that you would be voting, and I thought that it was fairly important that you hear my comments. Excuse me.

The point I was making was that his party affiliation really is irrelevant; what's more important is what this gentleman does for a living. When you have that kind of

significant position within a community — his is a six-municipality community and economic development and part of the north, and governments for decades have struggled to get proper development in the north because of the significant issues that we southerners frankly don't face — you can't divide the time, in terms of the way you think, when it's your job 24 hours a day, as this gentleman agreed, to do that for the six municipalities he works for. It's very hard to have a larger view in terms of the whole north and it's really significantly a conflict for him to be put forward in this way.

I'm sure that, as Mr Preston mentioned earlier, he's a terrific worker etc, and I think that's fair, and he should be called upon to do some kind of service, just in a different capacity, not necessarily this one, because it is such a significant conflict. I would be surprised that his own community wouldn't have a problem with him doing this job, because his eyes really should be on those six municipalities which are paying him to do that job. I think that's important, and it's important we send a strong message to the north that we're putting people in positions where they are warranted.

**Mr Leadston:** The comments of the members opposite don't surprise me. I think your comments are very shallow and very narrow-minded, particularly about someone who speaks passionately about the north. Here's an individual who was born in the north, left the north to be well educated, returned to the north and has made significant contributions to the northern community, not specifically to his community and his neighbourhood but to the northern community.

I've never seen such narrow-minded thinking and comments from the members opposite. Again, that doesn't surprise me. When you think of conflict, you already have an individual on here from the Timmins Economic Development Corp. Does this mean that individual should be off? With all due respect to some of the others, we have a dairy farm operator. I don't mean anything disrespectful to someone who operates a dairy farm, but isn't that somewhat of a narrow focus in terms of northern development? The diversity of the individuals on the board, the wealth of experience and knowledge that Mr Veilleux will bring to the board is going to develop a tremendous blend of knowledge and expertise, and the benefactor is the northern community. But the comments don't surprise me. Obviously I will be supporting this candidate.

**Mr Preston:** This conflict-of-interest thing is blown way out of proportion. It suggests that any one of us gets elected and that everything we do is focused on our home town.

**Mr Crozier:** No, it doesn't.

**Mr Preston:** Yes, it does.

**Mrs Pupatello:** It's not the same.

**Mr Preston:** It is the same. I was elected to cover a large portion of southern Ontario, not just Cayuga, not just the area that surrounds me. I have to deal with everything from the centre of Lake Erie right into Cambridge and I do that. I think this gentleman will do just the same thing, and very competently. As you understand, I'm in favour of this appointment.



**Mr Bob Wood:** It seems to me that this is a very well qualified candidate. I do not consider it a disqualification that he is a past candidate. I think that shows a commitment to public service and gives him a good feel of what the people in his area are thinking. It's of interest that he's going to take effectively no pay for this job, and I think he's to be commended for doing that. It's quite clear that he sees his function on the fund as working for the whole region, not for one particular part of the region. I think it's clear he's going to stand up for northern Ontario and for Ontario generally. It's quite appropriate that he supports in general terms what the government is attempting to do. I think he's a good candidate and that he'll do the north proud. We're going to support him.

**The Acting Chair:** Is there any further debate? No?

I shall now put the question. Motion for concurrence with the appointment of Mr Veilleux.

**Mr Martin:** A recorded vote, Mr Chair.

**The Acting Chair:** A call for a recorded vote.

#### Ayes

Doyle, Ford, Fox, Leadston, Newman, Preston, Bob Wood.

#### Nays

Crozier, Gravelle, Martin, Papatello.

**The Acting Chair:** The motion for concurrence passes.

### SUBCOMMITTEE REPORT

**The Acting Chair:** There's now a motion on the floor for concurrence with or acceptance of the report of the subcommittee.

**Mr Bob Wood:** I move that motion.

**The Acting Chair:** Any debate regarding that?

**Mr Gravelle:** I just want to make sure I understand it. We're talking about August 7 as one day, is that correct, and September 3, and then September 4 and September 5 as well?

**The Acting Chair:** September 4 and September 5 in northern Ontario.

**Mr Gravelle:** That's what I mean. September 3 would not be in northern Ontario. September 3 would be down here and September 4 and September 5 would be in northern Ontario?

**Interjection:** Yes.

**The Acting Chair:** The report as it stands now is for September 4 and September 5 only to be in northern Ontario, as I read the motion.

**Mr Leadston:** Do you know where it is? Can I ask where we're going in terms of locations?

**The Acting Chair:** Not on this motion.

**Mr Martin:** That was to be worked out. There was going to be some discussion with the House leaders around the logistics of all that.

**Interjection:** If they don't give us the time, there's no point in planning on where we're going to go.

**The Acting Chair:** Any further debate on the acceptance of the report of the subcommittee?

**Mr Martin:** Just to clarify so that the people understand, September 4 and September 5 in the north was our attempt as a subcommittee to respond to some comments last week by Mr Ford and others that perhaps it would be in everybody's best interests to go up to the north re the discussion we had, ONTC and norOntair, to see first hand what the challenges are so that when we make decisions down here and have these discussions, everybody is a little more informed. That's what this is about. It's a chance for us to go north for a couple of days.

We're looking at, this time around, because it's ONTC-focused, maybe up as far as Moosonee and back, the northeastern corridor, to see what challenges are up that way and to educate all of us around some issues in some communities that are served by that.

**Mr Bob Wood:** We on the government side haven't quite concluded what the focus ought to be. We want to get up there and see what people are saying. Obviously that will be a matter of discussion among all parties.

**Mr Martin:** You would agree, though, that it flowed out of our discussion about norOntair and ONTC, that that's what this is coming out of?

**Mr Bob Wood:** It's just generally an interest in going to the north and seeing first hand the problems and talking first hand to the people where they live.

**Mr Martin:** But it did flow out of that discussion.

**Mr Bob Wood:** It certainly did. Yes, it started there.

**The Acting Chair:** No further debate. All in favour? Opposed? Carried. Meeting adjourned.

*The committee adjourned at 1142.*

### ERRATUM

No.	Page	Column	Line	Should read:
A-12	A-275	1	36	Mr Callaghan, okay? These aren't always















## CONTENTS

Wednesday 12 June 1996

<b>Committee business</b> .....	A-353
<b>Intended appointments</b> .....	A-353
John Lowry .....	A-353
Thomas Reid .....	A-355
Louis Veilleux .....	A-359
<b>Subcommittee report</b> .....	A-366
<b>Erratum</b> .....	A-366

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

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**Vice-Chair / Vice-Président:** Martin, Tony (Sault Ste Marie ND)

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\*Crozier, Bruce (Essex South / -Sud L)

\*Doyle, Ed (Wentworth East / -Est PC)

\*Ford, Douglas B. (Etobicoke-Humber PC)

\*Fox, Gary (Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud PC)

\*Gravelle, Michael (Port Arthur L)

Johnson, Bert (Perth PC)

\*Kormos, Peter (Welland-Thorold ND)

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\*Leadston, Gary L. (Kitchener-Wilmot PC)

\*Martin, Tony (Sault Ste Marie ND)

\*Newman, Dan (Scarborough Centre / -Centre PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Wood, Bob (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Pupatello, Sandra (Windsor-Sandwich L) for Mr Bartolucci

**Clerk / Greffière:** Tannis Manikel

**Staff / Personnel:** David Pond, research officer, Legislative Research Service



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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 19 June 1996

# Journal des débats (Hansard)

Mercredi 19 juin 1996



**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointment

Nomination prévue

Report: Manitoulin-Sudbury District  
Health Council

Rapport : Conseil régional de santé  
de Manitoulin-Sudbury

Chair: Floyd Laughren  
Clerk: Tannis Manikel

Président : Floyd Laughren  
Greffière : Tannis Manikel

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LEGISLATIVE ASSEMBLY OF ONTARIO  
STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 19 June 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO  
COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 19 juin 1996

*The committee met at 1008 in room 228.*

COMMITTEE BUSINESS

**The Chair (Mr Floyd Laughren):** Mr Martin, you've handed me something. Did you wish to speak to it before we start?

**Mr Tony Martin (Sault Ste Marie):** Given that we called Mr Smith to the committee and that summer is upon us in the not-too-distant future and we can't get Mr Smith here in the next few weeks because of some commitments he has, one due to his health, I'm suggesting that we drop him as a person we want to interview and that the appointment should proceed as per usual.

**Mr Bob Wood (London South):** We appreciate Mr Martin's cooperation in this matter. It certainly is of assistance to Mr Smith.

**The Chair:** There's unanimous agreement on that then?

**Mr Bob Wood:** Agreement is not required. It's just a matter of whether or not somebody designated is withdrawn.

INTENDED APPOINTMENT  
JOHN LACEY

Review of intended appointment, selected by third party: John Lacey, intended appointee as member, Liquor Control Board of Ontario.

**The Chair:** We are ready to proceed with an intended appointment. The only person this morning is John Stewart Lacey. Welcome to the committee. The system works in a way in which you have a half-hour before the committee and you may make some opening remarks if you wish, and then each of the parties present has an opportunity to ask you some questions.

**Mr John Lacey:** Good morning. It may be useful if I give you a couple of minutes of background on myself. I'm the son of a British army officer and have been privileged to have quite an interesting international business experience that has predominantly been focused on retailing, distribution, wholesaling and hotels. I've been lucky enough to have worked in Africa, Europe and North America. I emigrated to Canada in 1979 and became a Canadian citizen in 1983.

I've had specific senior management responsibilities in hotels, in both the Holiday Inn and the Marriott groups, in South Africa, United Kingdom and Canada. At one stage in my career, I was managing director of a company called Rennies Liquor Holdings, which was a wine production, spirits production, importing and liquor retailing group owned by Jardines Matheson out of Hong

Kong. I have a number of years of operating multifaceted businesses and a fairly large, diverse workforce.

My community interests have been predominantly around supporting a concept called Street Haven, which is an abuse centre for women. I'm involved with the North York Community Alliance — we support it financially — and that is an ethnic support group and offices to allow different communities to come together. I'm also on the executive for the Canadian Racing Drivers Association for the development of young Canadian race drivers and the funding thereof.

That's a little bit of what I do. I'm currently chief executive officer of Scott's Hospitality. I've been on the board and have been running that company since 1989.

**Mr Peter L. Preston (Brant-Haldimand):** Sir, you have a diverse background. I challenge any linguist to pick out your speech. It's a little bit of Australian, it sounds like. Have you ever been to Australia?

**Mr Lacey:** No. Actually, it's a little South African, a little Yorkshire and a little Canadian.

**Mr Preston:** When you put that all together, it sounds like somebody who's just been out of Australia for about 15 years.

As a successful businessman, will you have sufficient time to devote to the LCBO?

**Mr Lacey:** Yes, sir. I wouldn't have made myself available for this appointment if I couldn't make the time. I take these kinds of appointments seriously and I believe that if you can't devote the time and attention, you shouldn't be a candidate. I will make the time.

**Mr Preston:** There is a saying that if you want something done, ask a person who's too busy to do it and they usually get it done.

What do you have in mind for the goals of the LCBO?

**Mr Lacey:** I remain fairly open on the issue. I'm obviously just coming into this role. Clearly, we've got to review the mandate of the LCBO and look at that in light of the challenges, strategic issues and opportunities facing the LCBO. I would like to deal with that on a properly briefed basis, as I become aware of all the details. From my point of view, it's meeting the challenges and reviewing the strategic opportunities and the business plans of the organization.

**Mr Preston:** I was very happy to hear your first comment, that you're proud of your father's accomplishments. That's the first thing you said; that's fantastic.

**Mr Douglas B. Ford (Etobicoke-Humber):** Welcome, Mr Lacey. Are you familiar with the mandate and the responsibilities of the LCBO?

**Mr Lacey:** I have read the mandate, yes.

**Mr Ford:** So you're familiar then; you've had a briefing on it.



**Mr Lacey:** I had a briefing on it.

**Mr Ford:** Why would you want to serve on the LCBO board of directors? Why the interest?

**Mr Lacey:** I believe my background gives me some grounding to make a contribution to the LCBO. I have known this industry from many quarters, from the dispensing side as well as the distribution end of it. I'm a large employer. I think I have something to contribute. Secondly, I've got to tell you that having emigrated to Canada and to Toronto, both Canada and Ontario have been very good to me and I'd like to put something back.

**Mr Ford:** You wouldn't have any conflict of interest?

**Mr Lacey:** Not at all, sir.

**Mr Ford:** In your opinion, should the LCBO look at generating larger profits for the province of Ontario?

**Mr Lacey:** It's got a huge responsibility in its contribution to the province and I think what we have to do is weigh that contribution against what opportunities are going to face this kind of organization. I think it would be premature for me to comment on whether that should be larger or smaller, but I think the level of responsibility and contribution to the province is significant, is important and should be reviewed in that light.

**Mr Ford:** That's a good answer.

**Mr Bob Wood:** We'd like to reserve the balance of our time.

**Mr Bruce Crozier (Essex South):** Good morning, Mr Lacey. Might I say at the outset that your experience, your background certainly seem to me to suit you well for this appointment. I would like to know the way you will approach it. If you've followed it at all, you will know that there is a bill before the Legislature at the present time that would essentially reduce the LCBO to its retailing function. Have you followed that and do you have any comment with respect to that?

**Mr Lacey:** I'm aware of the bill, but I think it would be premature for me to make a comment at this stage. As I'm just coming into this role, I would like to hear all the aspects, both of the bill and the mandate and challenge, and to listen to the senior management of the LCBO, as well as the province's desires, and look at those issues and as a director contribute to the future strategic plans of this company.

**Mr Crozier:** Can I interpret that, without putting words in your mouth — but would you agree with me then if I say I think this gentleman, this appointment is open-minded?

**Mr Lacey:** Yes, sir.

**Mr Crozier:** You're willing to look at all the options and wouldn't hesitate to comment to all interested parties as to how you feel on privatization, improvements in retailing, marketing — all those issues?

**Mr Lacey:** I will be open-minded.

**Mr Crozier:** I appreciate that and I think that's the way this issue needs to be looked at.

You've had a great deal of experience in marketing. I think LCBO profits in 1995 were somewhere in the neighbourhood of \$680 million. There's some concern by many of us, if the LCBO is privatized, how that then might affect the revenues of the government; in other words, how would that \$680 million be replaced? Do you

have any speculation as to what might happen to prices if the LCBO were privatized?

**Mr Lacey:** I have no idea at this stage. From my point of view, we've got to look at the facts. I've not obviously had the opportunity to go through all the issues yet. I really can't comment, I can't speculate on that at this point in time, but the \$680 million, in terms of the needs of the province, is obviously important.

**Mr Crozier:** From your private life and your experience, do you have any concern with alcoholic beverages being sold privately as opposed to being sold from a government-regulated retail outlet?

**Mr Lacey:** I don't have any issues either way. I think the issue of the dispensing part of it has to be one of responsibility. It is a substance that can be abused. It is a substance that is not allowed to be consumed by minors. The methodology of control and the process is probably a significant contributing factor here.

**Mr Rick Bartolucci (Sudbury):** Certainly your qualifications are very impressive, and I congratulate you for coming forward and wanting to serve.

Just one simple question: You have an extensive business background. In any of the companies you worked with, did they ever sell a holding that was making substantial money for them?

**Mr Lacey:** Yes, sir.

1020

**Mr Bartolucci:** Would you describe why they did and what was the method of sale?

**Mr Lacey:** We sold Black's Photography a couple of years ago. It was a good contributor to our business, had an excellent market share across the country, but our strategic view of that company was that we were on the wrong end of the power play for margins. We saw around the world a Kodak-Fuji war emerging and as the production gross margins were substantial and the retailing margins were minimal and we saw that Kodak was in fact becoming a 50% partner of most of the processing houses of film, we felt that this company was going to face some serious strategic issues, would need a great deal of attention and more importantly would need a partnership with the kind of person who had the gross margins to carry it through. So we discussed the sale of that with both Fuji and with Kodak, and ended up selling it to Fuji Canada.

**Mr Bartolucci:** Just a follow-up to that, and it is a simple one. Because of your business background, what you're saying is that the board of directors weighed both sides and they chose the best one before they proceeded. They had all the facts; they gathered all the information and they weighed not only the short-term but the long-term consequences of either sale or keeping it. Are you prepared to do that as a member of the board and provide recommendations to the government?

**Mr Lacey:** Yes.

**Mr Crozier:** Just one more quick question, if I could, because this has raised something. Do you think, sir, that government can be run like a business?

**Mr Lacey:** Yes.

**Mr Crozier:** Without any equivocation? It's no different than a business?



**Mr Lacey:** I think it can be run along similar lines to business, yes.

**Mr Crozier:** So not exactly.

**Mr Lacey:** You have me at a slight disadvantage, sir. I've never been in government. But I think in principle it can be run similarly.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mr Lacey. Just in terms of your experience as executive vice-president of the Molson companies from 1984 to 1988, how does the brewing industry, the beer industry, view the possibility of privatizing the LCBO? Do they have a position on it?

**Mr Lacey:** I have no idea, sir. I've been out of Molson since 1988.

**Mr Gravelle:** Right, but at that time was the operation of the LCBO ever discussed in terms of —

**Mr Lacey:** Not in my quarter, sir. My responsibilities were all the non-brewing, so from that point of view — I was on the executive committee, obviously, but at the executive committee level I don't recall the LCBO being discussed on a privatization basis.

**Mr Gravelle:** The whole privatization issue is obviously a reasonably contentious one, for a variety of reasons, and it obviously would be helpful or useful if you had some thoughts on it from a personal point of view, but I presume what you're saying is at this stage you really don't.

**Mr Lacey:** No, sir.

**Mr Gravelle:** But you're open to looking at all sides.

**Mr Lacey:** Yes, sir.

**Mr Gravelle:** Fair enough. Thank you.

**Mr Rosario Marchese (Fort York):** Mr Lacey, welcome.

It was a very curious thing to me. The government wants to get out of the LCBO and here we have an interested member who's well qualified who wants to get in. So it was a question for me as to why you might have an interest in coming in when the government is ready to get out of it. I thought you might not want to answer that in this way, but I want to ask you a question around privatization, because that's really what interests me and that's really what I'm concerned about.

To the question of, "Can government run like a business" — I'm sure it can. The problem we have is that when it runs like a business, something is lost in the process. Who worries about the public interest and who worries about the good society and what a good society is all about? When government wants to run like a business, it says, "In order to keep our profits up, we have to lay thousands of people off," so they're off into the streets. Who worries about those people when we run government like a business? That is my concern around the question that was asked and your answer about governments being able to run like a business. Do you have a comment on that?

**Mr Lacey:** I thought I qualified myself on the basis of saying that I had not been in government.

**Mr Marchese:** You haven't been in. I realize that.

**Mr Lacey:** You've got to view a certain bias towards a business aspect. It's difficult for me to speculate on that.

**Mr Marchese:** I understand. There are two arguments that have been proposed by Norm Sterling when he speaks about privatization. In one of them he argues, "The LCBO fails to adequately ensure it does not sell products to those under the legal age of 19." According to Mr Sterling, there's some evidence from the US to suggest that private sector stores are more aggressive at challenging young customers for proof of age. He advances this particular argument, at least one of them, as to why we might want to privatize it, because running it as a government, he suggests by inference here, we're not doing a good job of weeding out those young men or women who come in who might be under the age of 19, so if we privatize it we might get better enforcement of that particular issue. Do you have a view on that?

**Mr Lacey:** As I said earlier, I think one of the important aspects in considering this process is to make sure that the alcohol is dispensed in an appropriate and responsible way. I think that has to come with the process.

**Mr Marchese:** I agree with that, and I'm assuming all of our workers do that diligently because nobody wants to sell to anybody who's under the age of 19. So I'm assuming that we do that well and that that continues, and that's a concern obviously of board members like yourself.

**Mr Lacey:** I have no experience in it right now.

**Mr Marchese:** I understand. He also uses another argument and says, "Between 1980 and 1995, the LCBO costs expressed as a percentage of sales increased from 10% to about 18%." According to Mr Sterling, this is evidence of poor management and excessive wage costs. We have been doing relatively well for the last 10 years in terms of our sales and net profits. In 1995-96 we made \$680 million. I don't take pride necessarily in the fact that we have a lot more increases and that people are probably drinking more. Nevertheless, we're doing well in terms of profits, but he obviously is arguing that this is evidence of poor management and excessive wage costs. Do you have a view on that?

**Mr Lacey:** I've read the same document that you have. My initial reaction to the numbers was that earnings have been somewhat flat for some time. They've increased a little bit recently. Costs have gone up. If you look at that in real dollars, there has been a real downturn in the contribution to the province. I would say that the expense ratio is probably higher than that of our retail experiences over the same period of time. So there are some indications in those numbers that the LCBO has been struggling with a few issues. Without having the insight of knowing what all those numbers mean, I would guess that they need some attention.

**Mr Marchese:** So we could probably do better, obviously, is what you're suggesting, and you'd have to look at it and you'd have to be there to look at that very closely. I understand that.

**Mr Lacey:** All I'm implying is if you look at the — the chairman will concur with me that if you look at the inflation impact of those numbers over a long period of time, there have been some opposite trends in those issues. I think they just need some attention. I don't



understand them at this stage. I have not been privy to the background of those and therefore it's hard for me to speculate.

**Mr Marchese:** I understand that, except we all have views before we get into certain boards. It's not as if we are completely neutral in this regard. I understand you have to be in there to understand the detail, but before we enter into something we have a sense of what we like and what we don't like, and that's what we're trying to get from you. I appreciate it's difficult to state opinions on these matters, but this is of primary importance and there are a number of people who are worried about this.

We have the Wine Council of Ontario that's against privatization, the Addiction Research Foundation. Mr Brandt himself is expressing some concerns around privatization. There is the issue of privatization resulting in significant job losses and wage reductions, privatization will mean a loss to the provincial treasury of the \$600 million we collect, and a host of other concerns. We think it's working well, and, yes, people like yourself can enter into the board and attempt to make that better in terms of how we manage that, but whether managing it better means that we privatize is something that we completely disagree with. That's why we wanted to understand whether you had views on the matter or not.

1030

**Mr Lacey:** I have an open mind on it.

**Mr Marchese:** Thank you very much, Mr Lacey.

**The Chair:** Any other questions from any of the parties? If not, Mr Lacey, thank you very much for coming before the committee. Just so you know how the process works, the committee now has the opportunity to discuss your appointment. You're welcome to stay or leave. It's entirely up to you whether you want to be here and blush as all those things are said about you.

**Mr Lacey:** I'll decline the honour, Chairman. I'll leave you to your deliberations. Thank you. I appreciate appearing in front of you.

**The Chair:** Okay. We can deal with the issue of concurrence or not of Mr Lacey.

**Mr Bob Wood:** I move concurrence on the intended appointment of Mr Lacey.

**The Chair:** We have a motion. Do you wish to speak to that?

**Mr Bob Wood:** I'll defer my comments to the end.

**The Chair:** Okay. Any comments from the official opposition?

**Mr Marchese:** Mr Chair, just as a brief comment, we noticed that Mr Lacey says he's got an open mind and we have to trust that that is the case, and if that is so, then we concur with the motion.

**The Chair:** Okay. You've heard the motion. Are you ready for the question? All those in favour of the motion? Opposed? It's carried unanimously. Thank you very much.

#### SUBCOMMITTEE REPORT

**The Chair:** We are ready to move to the subcommittee report, which should be before you.

**Mr Bob Wood:** Mr Chair, if it's in order, I'd like to move the adoption of the subcommittee report.

**The Chair:** Members will note that each of the parties selected someone for review and all would be held on June 26, a week from today. Any debate on that? All those in favour? Opposed? It's carried. Thank you for that.

#### REPORT, MANITOULIN-SUDBURY DISTRICT HEALTH COUNCIL

**The Chair:** The last item of business is the Manitoulin-Sudbury District Health Council report, which you have had before you and is now open for debate as to how we proceed with it. You'll note as well that on the report on the very back page there are two recommendations put forth by Mr Wood and his colleagues. That will stand as part of the report if it's voted on and carried, and it's up to the opposition as to whether or not they wish to have any dissenting views on that. So the report is open for debate.

**Mr Bob Wood:** On a point of order, Mr Chair: As I understand it, we have before the committee now the motion to adopt the report.

**The Chair:** Right.

**Mr Marchese:** That was a separate motion. Isn't this item number 3, Mr Chair, draft report on?

**The Chair:** On the agenda? Number 5.

**Mr Marchese:** Number 5, right. So it's a separate report other than "Report of the subcommittee on committee business." That was the motion we just dealt with and now we're on item number 5?

**The Chair:** Exactly. Mr Pond, our research officer, has written the report without recommendations and then Mr Wood moved a motion, as I recall it, to attach these two recommendations and that the report be —

**Mr Bob Wood:** I'm moving the report with those two recommendations, or at least I'm attempting to. If I have not done it properly, that's what I'm attempting to do.

**The Chair:** That's fine. That's the proper way to do it. So you have a motion before us then that this report be accepted with these two recommendations.

**Mr Bob Wood:** That's my motion.

**The Chair:** Do you wish to speak to that now?

**Mr Bob Wood:** Yes. Perhaps I could briefly speak to it. We think that the current system of appointments to the district health councils works well. We have recommendations from the councils themselves and a final decision's made by the minister. We think an advisory group has to be a group that the minister has confidence in and we think that system permits us to get those kinds of people on the advisory groups. We also think that they have to give advice in accordance with the decisions that are made by the minister because that's basically the only way that an advisory group can function effectively. So those in essence are the reasons for the recommendations that we have put forward.

**The Chair:** Thank you for that.

**Mr Bartolucci:** If you look at the spirit of the law and then you look at the letter of the law, you're looking at two different things in this instance, because if we were to look at the spirit of the law, it has worked successfully in the past, there has been no question. What's happened



in the past, in particular with the Sudbury district health council, is that the process has been carried through, the appointees have been screened, the recommendations have been made to the minister and the minister has accepted those recommendations because he felt they clearly reflected the view of the community.

This has not been the case since this government came to power. The DHC's recommendations for appointments have not been accepted by the minister, reappointments have not been accepted by the minister, and what's happened is that chaos, literally chaos, has taken place at the Manitoulin-Sudbury District Health Council and it's hurt the community a great deal. It hurts a fragile community that has struggled with restructuring.

But the restructuring process has been an open one. The Liberal representative from Sudbury and the NDP representatives from Sudbury East and Nickel Belt disagreed, but the one thing we did agree on was that the process was open. Effectively, that ceased with the last round of appointments by the minister to the district health council in Sudbury, and it's led to what I consider to be a diminishing of trust in the government's agenda for hospital restructuring in Sudbury on the part of the community. I see that as sad, because I honestly believed and worked towards ensuring that that type of consensus-building that I thought may be a part of the restructuring in Sudbury with this government just hasn't materialized. In fact, if anything, it has caused more deterioration in the system.

It's led, sadly, to massive resignations at the district health council in Sudbury. I'm going to refer to two long-serving members, two members who are contributing members to the community at large, and their letter of resignation or speech of resignation at the last district health council.

The first one will be from Sylvia Martineau. She rose on a point of personal privilege and said:

"After careful deliberation, thoughtful consideration and much soul-searching, I have come to the conclusion that I cannot, in all conscience, continue to be a party to the actions of this council. My personal moral and ethical values do not allow it.

"Much of what council has 'accomplished' since the new members have taken office has, in my view, been counterproductive. These 'accomplishments' appear to have been driven by the agenda of an unseen party.

"Mr Chair, I have come to the conclusion that the only 'common sense' action left for me is to resign my seat on council. Fighting this fight from within is not possible. My voice is no longer heard on the Manitoulin-Sudbury District Health Council.

"I feel bad for the new members of DHCs who have been appointed at the prerogative of the Minister of Health. The new members on the Manitoulin-Sudbury District Health Council have shown themselves to be hardworking and dedicated. In the normal course of council appointments, individually they would make valued members of council. As a bloc, they represent the end of the apolitical process that both the Information Guide for Appointments to District Health Councils and our own DHC bylaws attempt to ensure. As appointees

through the prerogative of the Minister of Health, they are perceived as politically parachuted pawns.

"Before I relinquish my point of personal privilege, I want to acknowledge and extend my thanks to people I have worked with over the past years. From each of you, I have learned a great deal about the challenges facing our health care system and the processes and roadblocks that need to be manoeuvred and overcome in realizing solutions to these challenges...."

"To the new members of council, I urge you to reconsider your position. Consider the perceptions of the community to your appointments. Decide for yourself, on an individual basis, whether or not you can continue to look yourself in the eye each morning if you stay this path.

"To the people of this community, I urge you not to tolerate the actions of the current government in stacking the deck. The so-called 'consensus' gained through this skewed process will not represent what our community needs or wants from its health care system. Show your displeasure and your concern by writing or calling your member of Parliament, the Minister of Health and the Premier. Urge your mayor, city and regional council representatives to take up the fight. Continue to write letters to the editor to local and provincial newspapers. Keep these issues alive and make your viewpoints known.

"Mr Chair, as my last and final act as vice-chair, Manitoulin-Sudbury District Health Council —

"I resign."

1040

**Mr Bert Johnson (Perth):** Mr Chair, on a point of order: I didn't get the name of that person.

**Mr Bartolucci:** I said it at the beginning, but I'll say it again: Sylvia Martineau.

The second letter I'll refer to only briefly is from Rosarii Pearce, a very, very involved individual in the community.

"I rise on a question of privilege. As a question of privilege I would like to present my resignation from council and the executive and give my rationale.

"I am extremely uncomfortable with the account I received of items discussed at the in camera meeting on Friday, May 31, 1996....

"It is with great regret and sadness that I resign as a council member of the Manitoulin-Sudbury District Health Council. I have served on this council for approximately two years and I have enjoyed it. It held meaning for me and I felt that I was trying to make a contribution to my community. It was my way of giving something back....

"In Sudbury, we have spent the last several years reviewing our hospital system and in the process we have spent approximately half a million dollars on this review. It was supposed to be a 'made in Sudbury' solution, but as we all know, that is no longer true.

"The health council has disagreed with the Minister of Health, Jim Wilson, very openly and very publicly and the minister has chosen to appoint his way out of a corner.

"Apparently, Mr Wilson felt that the decisions in Sudbury were making him look bad, but the solution to



Sudbury's health care crisis is not about him looking good or bad.

"The minister's arrogance at not reappointing council members whose order in council had expired was not only a slap in the face to these council members but to the community at large. The question has been asked why these reappointments did not occur and we have yet to receive an answer. We realize it is the minister's prerogative, as he has so eloquently told us on so many occasions, but he lost sight of one thing, and that is that a health council is supposed to be reflective of the community it serves — and not the government's agenda."

She goes on to thank the people she worked with. But she also says:

"I want to remind everyone concerned that I am not here only as a private individual, but I am also the nominee of the Sudbury and District Labour Council, to whom I intend to present a comprehensive report of what has occurred in the last several months. Organized labour considers itself the watchdog of the community, and you are now on notice that we will be monitoring this council very carefully. If you think I am disappointed and angry with what has happened, let me enlighten you. Organized labour is equally disappointed and angry!!!! I think it was best said in the Sudbury Star's Daily Quote by Lyn McLeod (Liberal leader): 'What is happening across the province is the terrorism of the Common Sense Revolution having its effect on our people in our communities.'

"My parting word to this neo-conservative government in response to their treatment of volunteers and the communities they serve is 'Shame'!!!!" and she resigns.

These two individuals were followed by two more resignations. You will remember that Bob Knight and Ken Ferguson presented their case to us as a committee. Bob Knight is no longer employed by the district health council. In what could only be perceived as backroom bargaining and a deal struck by the new appointees, Bob Knight was terminated. I want to tell you, this is what's wrong when we live by the letter of the law and not the spirit of the law.

Obviously, because you as government members have the majority on this committee, this motion will probably be adopted. But let me tell you, it's wrong, it doesn't serve the best needs of the community, it certainly has harmed Sudbury, it is not something the people of Sudbury will quickly forget, and it shows the disdain this government has for not only Sudbury, not only the Sudbury region, not only northern Ontario but in fact all of Ontario. The concerns, the voices of communities around this province are not important if they disagree with the minister.

Your district health council in Sudbury is useless. It cannot, will not be able to accomplish the goals set out by a district health council until we return to the process that is employed, that is recommended and that has in the past been carried out to ensure that the district health council is apolitical rather than partisan in politics.

**The Chair:** I wonder if I could interrupt proceedings just for a moment to introduce a delegation from Ethiopia. These are Ethiopian members of Parliament who are here looking at the committee system in particu-

lar. Welcome, ladies and gentlemen. We hope your visit is fruitful.

**Mr Martin:** I certainly concur with the thoughts and comments of the member for Sudbury and want to put that into some context re this whole question and how it fits into the broader agenda and approach of the present government in terms of getting its business done and its approach to governing; its respect, or lack of respect, of some of the ways that have been developed over a number of years in how district health councils and other advisory bodies that have been given a mandate by various governments to work with government around questions of how services are delivered in various jurisdictions and areas of the province.

We have here a report that is one of two things. It's an example of a government that is bound and determined to make its mark, to have its agenda become the order of the day, to twist arms to that end and not concern itself at all about either the direct or indirect negative fallout or indeed, in this instance, carnage that happens. I'll speak to that in just a minute.

It's either an example of what the present government feels needs to be done to get its agenda done, to get on with business, to shape this province in its own likeness, or it is just a terrible indictment of a government that has absolutely no respect for or understanding of the way things have evolved in this province over a number of years: the very delicate balance between advisory groups that in some very important and fundamental ways speak for the people they represent and are appointed from, the area which they serve and have some immediate understanding of and connection to, and the wants and desires and agenda of a particular government. There's a delicate balance there.

Governing is a very sophisticated, difficult at best, and challenging piece of business to be involved in, and over the years governments have found ways to balance those two issues and to work with people around them over a period of time.

1050

Certainly district health councils have struggled and are still struggling because they're a relatively new organization out there. They're struggling to gain the confidence of the people they work with. I know in my own area of Sault Ste Marie, there is always this pull and tug between people who have a direct interest in the governance of hospitals and the consumers who get the services that are delivered by hospitals. In our area we have the group health centre, which is a unique and interesting approach to delivering health services, we have the various organizations that represent workers and then we have the general public. We have a very interesting and delicate balance of interests that are brought together at the district health council to discuss the concerns they have re how health care is delivered in our area. They try, with the help of the executive director and the chair and their connection to an Ontario-wide organization of district health councils, to be reasonable, balanced, unbiased, and in the end to operate in the best interests of both the province and the area they represent.

In this instance we have an example of how all that goes very wrong when one side gets more power than the



other in a way that just totally throws the scale out of whack. In this instance we have a district health council that is now, for all intents and purposes, thrown to the wolves, because nobody knows any more what the role is and who they're responsible — well, they know who they're responsible to, but do they have the confidence of the people of the Sudbury and Manitoulin area re the decisions they make?

For a government to govern — and certainly in some instances, my experience from being in government for five years is a perfect example of that — you need to take the time to make sure that everybody's on side with any new initiative, particularly with an initiative as important and critical in this day and age as how we deliver health services and how we restructure hospitals.

I know in my own area we had a restructuring of two hospitals, we had a coming together of two boards of directors, so that we have now, for all intents and purposes, one delivery agent in our community. That took a fair amount of time, it took a lot of discussion between folks who had different interests and approaches, but at the end of the day we arrived at something that we could all accept and agree to. Life is unfolding and we don't have the turmoil that I expect is now happening in Sudbury.

We don't have mass resignations from the district health council over this. We have generally an acceptance and approval of the plan; mind you, not without continuing difficulty as we try to come to terms with the further very difficult cuts being imposed in health care, if I might be political for a second, under a government that suggested during an election campaign that it wasn't going to cut funding to health care.

What we have here is a district health council that's in disarray. We have mass resignations happening. We had the executive director and the chair of the board, who came before us in a very brave and courageous effort to try to unveil, expose, talk to us about what they saw as some very troubling undertakings that were not in the best interests of the delivery of health care in the Sudbury-Manitoulin area, and now they're gone.

They came here knowing full well probably that by telling the truth about this situation they would be gone. I don't know what the future is for the executive director of that board, but if having the courage to tell the truth, if having the courage of your conviction is a plus — and I'm not sure whether it will be, in the environment that's being generated in this province right now as we see so much of this type of intimidation happening. I don't know what's going to happen to this man. That's another issue, but I have some concern about him and about others who find themselves having some difficulty with the agenda of this government ending up without work, and in such an unsavoury manner as this. So we have that.

We also have on record somewhere a letter from the head of the Association of District Health Councils of Ontario expressing concern around the way appointments are made to district health councils in this province. This Manitoulin-Sudbury example is the most obvious and the one that we're looking at now, but I worry whether in fact, as the government runs into some resistance, some

questioning, some difficulty with other health councils as it goes about its work, this will just be the beginning of this kind of approach.

Ultimately, the question we all have to ask — and I'm going to be voting to accept the report, although I have some difficulty with the way the recommendations are worded, but that's all right. I can go ahead with that in that what's being recommended here is simply a reaffirmation of what was laid down by previous governments.

The difficulty we have, and I think it's spoken to in the body of the report, is that now, where over a period of years there was an evolution of participation by the district health council in recruitment and making recommendations to the minister re appointments, and the minister concurred after some discussion, normally, with those recommendations, we have now today just a complete disregard for that process and a moving to a more minister-driven appointment process.

I hope that anybody reading this report would understand that we need to get back to that very delicate balance of the government needing to have some say and play some role but, more importantly, an area having some say and some role in who represents them, who's going to give voice to their concerns and to the image and vision that they have for the way health care is delivered in their particular area.

I see this as a very fundamental challenge to the whole concept of democracy as it has evolved in this province over a period of years. This is very troubling, and has to be, I think, for any of you across the way who has any interest in democracy, in this balance of listening to people as well as getting your agenda done and trying to find a way to do that with as little trauma as possible to both the system and to the area that's being served.

What we have as part of this, unspoken, but I think in the examples and words that Mr Bartolucci has put on the table today, is an act of blatant vengeance on a group that had the courage to go out and participate in an exercise of public consultation, come back and make a recommendation and then not only have the recommendation dismissed but themselves dismissed and, because of this, a complete overhaul of the way decisions are made in Manitoulin-Sudbury around the question of delivery of health services and, in this instance particularly, the way hospitals will be governed.

**1100**

It is with all of that said and put on the record that I will be supporting adopting this report because in it is an indictment, as far as I'm concerned, of this government and its approach to the use of or, in this instance, the abuse of advisory councils such as the district health councils. I hope that in your wisdom, in the collective wisdom of the folks across the table here who have participated in this discussion, you encourage the minister, encourage your government to get back to a collaborative, a respectful give-and-take approach to the way we go out and get information, the way we cooperate with people around the putting together of plans and the way that ultimately, then, services are delivered.

**Mr Marchese:** I appreciate my colleague's interest in supporting these recommendations as a way of alerting



the public as they read them that somehow they will reject what's happened here. I want to say that I will oppose these motions profoundly. I reject them the way they are written and I reject them particularly in the context of what this report says. You can't isolate the motions from the context of this report. When you read the report, as I did last night, knowing that I was subbing in this committee, I found it profoundly disturbing.

All the new members across the way don't have a clue what their former colleague said, so it's a lot easier for them to simply go along with the recommendation that I find disturbing and vile, which I'm sure they find acceptable because it seems, well, the government has to do what it has to do. But if you had listened to your members, had you been here when they were in this committee for years and berated our government in terms of our appointment process and said they were going to be different, and you look at this report and what's contained in it, it should disturb all of you. It's an embarrassment.

I want to take you through some of these things. I'm sure you read it, but just for the sake of repeating it again:

"Since January 1, the government has appointed eight new members to the Manitoulin-Sudbury DHC. These appointments are controversial....None of the eight were recommended to the minister by the DHC....The minister has declined to appoint any of the 16 prospective members recommended by the DHC, including four experienced members seeking reappointment."

I thought that you as a government were very concerned about streamlining, making agencies more effective and efficient, giving them the tools to be able to do the job right.

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** Um-hm.

**Mr Marchese:** You nod, saying um-hm, but here is a DHC saying, "We recommend these to you, Minister," and the minister says, "Sorry, they don't agree with me, so I'm not going to appoint them." Clearly what it says is: "If the people we appoint agree with us or the people already appointed agree with us, then we'll make them more efficient and give them the tools and power, but if they disagree with me, I will take the tools away. What do I do? I'll simply not reappoint any of the members, not appoint any that the DHC has recommended; I'm going to appoint my own so that I can do what I want."

If you follow through this, it's an embarrassment. I'm not sure how you could accept that without some critical analysis of what you're doing.

It goes on. Mr Ferguson says, "The undermining of the order-in-council recruitment process, and in particular the DHC's role in recruitment, creates a perceived conflict of interest and compromises the neutral objective role of DHCs in health planning."

Isn't that what you wanted as a government: neutral, objective roles of the DHCs in the health planning? Don't you want to listen to people, as you say you do? You say you consult. Here is a DHC that is consulting with the minister, talking to the minister, recommending to the minister, and the minister doesn't listen to that. Don't you find that profoundly disturbing? As I read it, I did.

It goes on to say, "People perceive that the accountability of DHCs to their communities has been damaged." Clearly these people are there representing communities. The minister says: "I'm sorry; that's not good enough. We're not going to listen to that because it doesn't agree with what I want."

"Experienced council members feel the DHC appointments process is being 'corrupted' in order to manufacture a false consensus on the council regarding hospital restructuring issues." Clear to me.

"They also feel that the new appointments were made as a punitive measure" — that's clear too — "imposed by the minister to 'punish' the council for submitting advice to the minister which challenges the status quo on hospital governance in Sudbury."

The government members go on to suggest — that's some of you here who were quoted, obviously, who spoke last time around — that it was "entirely reasonable for a Minister of Health to appoint to an advisory body such as a DHC new members who shared his views...."

Don't you find that troublesome and profoundly disturbing?

**Mr Preston:** A reasonable direction.

**Mr Ford:** They change the management on many boards of companies and corporations around the world. This happens every day.

**Mr Marchese:** Oh, yes, every day.

**Mr Ford:** Yes.

**Mr Marchese:** Interesting.

**Mr Ford:** Especially when they're going down the hill. That's what happened at Algoma Steel.

**Mr Marchese:** If you don't mind, I have the floor for a moment. You can have the floor afterwards.

The government members say: "That's reasonable. If they don't agree with me, that's what they do in business and that's what I'm going to do as a businessman: me, Mr Wilson, me, the rest of the government members," as has been recorded here, I hope. "Where they disagree with us, we're not interested in consulting with them. We will only consult with people who agree with us." It's a profound, stupid approach to doing business.

I know, Mr Fox, you're looking up at the ceiling, but I tell you, I think anybody following these proceedings is going to find it as disturbing as I did.

Then the committee recommends and says this: "The committee endorses the current process of appointments...." How could you be endorsing the current mode or process of appointments to the district health council when you as a committee and the minister say: "Sorry, we don't agree with that. Yes, you recommended the eight people and we rejected all the 16 recommendations you've made, but we still accept and endorse the current process of appointments"? How could you do that? Isn't it hypocritical to do that? To say you accept it and then to reject everything they endorse is — I'm not sure. It's major, major, galloping stupidity, as I see it.

Then the last one says, "The committee encourages DHCs to give their best advice to the minister, and to do so in a manner consistent with decisions and policies set out by the minister." It's draconian, as I see it.

**Mr Preston:** Oh, that word, finally. You finally got it in.



**Mr Marchese:** Do you remember that word? Some of you popped in to the employment equity hearings. I'm not sure I remember some of you, but some of you were there, and you said, oh, employment equity, that's very draconian because it imposes its will on people. And on the Advocacy Commission you said, oh, that was very draconian, because it imposes its will on people. Here you have a draconian recommendation, a draconian measure taken by the minister and supported by you, and you see nothing wrong with that. How can you contradict yourself so easily and not feel moved by that contradiction or feel somehow that it should trouble you?

Again, as I see it, if you don't like something, it's draconian, but if you do like it, it's okay. It's all right for Minister Snobelen to send his staff or for his staff to go and tell a principal that what she had done was not appropriate; that's not draconian. It's all right for Minister Cunningham to go to a group of agencies and say to them, "You'd better do this, or else."

1110

**Mr Preston:** Mr Chair, could we get back on the subject?

**Mr Marchese:** Oh, I'm perfectly on the subject.

**Mr Preston:** You're not perfect on anything. Would you get back on the subject?

**Mr Marchese:** I am perfectly on the subject. I am making links that you don't want to hear, I suggest, but the links are very clear to me.

**Mr Preston:** The only links you make are sausage. Come on, let's get back to —

**Mr Marchese:** The only links are what?

**The Chair:** Order, please.

**Mr Marchese:** Sorry, I didn't hear that comment.

**Interjection:** "The only link you make is sausage."

**The Chair:** Mr Preston, let Mr Marchese complete his remarks.

**Mr Marchese:** "The only link you make is sausage"?

**Interjection:** Yes. It's reflective of the kind of stuff these guys throw at us here.

**The Chair:** Don't be deterred, Mr Marchese, by interjections.

**Mr Marchese:** What people say sometimes interests me, so I like to follow up on what they say. Anyway —

**Mr Preston:** Then I won't say anything.

**Mr Marchese:** You should, because I enjoy that. I want to hear your views and I want to hear what Mr Wood has to say after our comments, because I'm very interested in what he has to say in defence of these recommendations that can't be supported. I find these draconian. You are imposing your will on the public. You are imposing your will on anybody who disagrees with you, and you find that acceptable. I find it disturbing. It should be an embarrassment to you, but you are not embarrassed by this.

I think the points have been made. I can't support these recommendations. They are vile. They're draconian. It's an imposition of this government's will on a DHC that's trying to do its job. It imposes its will by making sure they don't listen to their views and it puts its members to the DHC in order to be able to carry out its political will. I find that profoundly disturbing.

**Mr Martin:** I think Mr Marchese makes some excellent points and certainly it's flowing from his comments that I would move an amendment to the recommendations as such. It reads as follows.

"The committee recommends that:

"1. The committee endorses the current process of appointments to the district health council," and that it stop there.

"2. The committee encourages DHCs to give their best advice to the minister," and that it stop there.

Those would be the two recommendations I would move by way of amendment to what's there now.

**Mr Marchese:** Those are good amendments.

**The Chair:** It's been declared.

**Mr Martin:** If I might very briefly speak to them, I think the report speaks for itself and I've put my comments on the record about that. The present process of appointment has evolved over a number of years and flows from a very simple statement in the act itself, actually, which suggests that the minister makes appointments. That's all. That's all that's in there.

So there's a body of experience over time that is now looked on. In fact, most DHCs, and maybe Mr Pond can clarify this for us, have bylaws that speak to how appointments are made, which is covered in the amendment I have made here: "The committee endorses the current process of appointments to the district health council." To include the last half of that is, in my mind, after listening to Mr Bartolucci and Mr Marchese, to ignore completely some of the problems that have been pointed out in the report we have in front of us here. It's motherhood, I suppose, to support the brief statement in number 2, which I'm proposing be the amended statement: "The committee encourages DHCs to give their best advice to the minister."

**Mr Marchese:** Mr Chair, I would like the government members to speak to some of these things.

**The Chair:** It's up to them.

**Mr Marchese:** Could you encourage them to do so?

**Mr Bob Wood:** We will. We don't support either amendment. We think the specific guidance given in the initial motion is what's needed.

**The Chair:** Is there any further debate on the amendments put by Mr Martin?

**Mr Marchese:** I want to hear some arguments.

**The Chair:** Are we ready to vote on the amendments, and then we'll go to the main motion? You're ready for that? All those in favour?

**Mr Marchese:** Sorry. Mr Martin's amendments?

**The Chair:** Yes.

**Mr Marchese:** Yes, okay. Recorded vote.

**The Chair:** Shall we do them as a pair, deal with both together?

**Mr Marchese:** Yes.

**The Chair:** All those in favour of the two amendments put by Mr Martin, please indicate. There is a sub —

**Mr Bob Wood:** On a point of order, Mr Chair: I think we have to determine who is voting for the New Democrats.

**The Chair:** That's what I just started to say. There's a sub on the committee this morning.



**Mr Bob Wood:** They only get one vote. It may be different in two days, Peter. Put your hand down, Mr Kormos.

**The Chair:** All right. Are you ready?

**Ayes**

Bartolucci, Marchese, Martin.

**Nays**

Doyle, Ford, Fox, Bert Johnson, Leadston, Preston, Bob Wood.

**The Chair:** The two amendments are lost. Can we go back to the main motion now?

**Mr Marchese:** I want a recorded vote.

**The Chair:** Mr Wood did earlier say he might speak to the motion. Do you wish to make any comments?

**Mr Bob Wood:** No. I have nothing to add to what I've already said.

**The Chair:** Is the committee ready for the question? Could we deal with them as a pair again, the two motions?

**Mr Bartolucci:** Just as a final comment, I believe the government is putting its restructuring commission, its arm's-length restructuring commission, in a bind here in Sudbury because it takes away from the credibility of the commission for hospital restructuring.

Let me tell you, this motion does nothing for health services restructuring in Sudbury. In fact, the players in Sudbury, the partners in Sudbury, the health care partners in Sudbury, believe firmly the process is now tainted, and what could have been and what would have naturally evolved as excellent recommendations and implementations are now and will in the future be viewed as partisan. That will not serve the greater or better needs of the Sudbury region.

**Mr Marchese:** Is there a way of putting beside my disagreement "profound, profound disagreement"? Is there a way of doing that?

**The Chair:** There is always the opportunity for opposition to put in dissenting recommendations, but that's entirely up to you.

**Mr Martin:** And we'll do that.

**The Chair:** But no, we won't record it that way. Is the committee ready for the question, and can we deal with them as a pair once again?

**Mr Bob Wood:** Sure.

**The Chair:** Recorded vote.

**Ayes**

Doyle, Ford, Fox, Bert Johnson, Leadston, Preston, Bob Wood.

**Nays**

Bartolucci, Marchese, Martin.

**The Chair:** The recommendations are carried.

The next item we must deal with is the reporting of this now. On a point of something?

**Mr Martin:** No, on the reporting. I want it known that we will be tabling a minority report.

**Interjection:** I'm profoundly surprised.

**The Chair:** Order, please. We only have about a week left in the session, and if you want this report to be

tabled this session, there is the issue of translation that must be dealt with. This is directed at you, Mr Martin, because if you want to put in dissenting opinions, that's your right, of course, but if you want the report presented to the House, it must be translated — there's a long tradition of that — before that's done. If you wait a week before you bring in your dissenting opinions, there's no way that can happen.

**Mr Martin:** I would bring that to you this morning. I have them right here.

**The Chair:** All right. If that's the case, then I would assume we can try and get the translation done for some time next week, or as early as possible.

That doesn't answer the question of how you want this reported to the House.

**Mr Bob Wood:** We're open to suggestions from the opposition members on that.

**The Chair:** Remember this debate we had before about how it's reported to the House?

**Mr Martin:** I suggest that we report it to the House with a request that there be a debate, because this is a fundamental change in the way business is done in this province. It's an example of a change in approach and attitude re the role of advisory committees.

**Mr Bob Wood:** I think the technical thing is we table it and recommend it to the House.

**The Chair:** You recommend the adoption of the report, is the way the Chair would stand up and present it to the House.

**Mr Bob Wood:** I'm happy to move that motion.

**Mr Martin:** We would want it with debate.

**The Chair:** Then it would have to be scheduled, and that's up to the House leaders to schedule that. Is that agreed? Do we need a motion?

**Mr Bob Wood:** I just move that —

**The Chair:** Move the motion that the report be presented, with a recommendation for adoption?

**Mr Bob Wood:** Yes.

**The Chair:** All those in favour? Opposed? It's carried. Anything else? We'll work on trying to get that translation done.

The clerk has just brought something to my attention too. The committee can ask for a comprehensive report from the minister within 120 days on this particular issue, if the committee wishes to do that, but it would need a motion from the committee to do that.

**Mr Bartolucci:** I so move.

**Mr Martin:** I second that motion.

**Mr Bob Wood:** I'd like to speak to that, Mr Chair. I think this issue has been fully aired and there's no purpose in spending any more time on it. We're opposed to that.

**Mr Martin:** You're afraid of that.

**Mr Bartolucci:** In all fairness, this is the first of what I hope won't be many but what I view to be the first of many. I suggest that we must have this report, because what we're doing is setting, I think, pioneer philosophy for future governments. I think it is worthy of as much input as possible, certainly from the minister, because he wants to so directly involve himself in this. So I would suggest that, with all due respect, Mr Wood is wrong, and I would hope you would reconsider and support it.

**Mr Marchese:** Recorded vote.



**The Chair:** Okay, there's been a motion put to have a comprehensive response from the minister on this report within 120 days. That's clear? Are you ready for the question?

**Ayes**

Bartolucci, Marchese, Martin.

**Nays**

Doyle, Ford, Fox, Bert Johnson, Leadston, Preston, Wood.

**The Chair:** Mr Johnson?

**Mr Bartolucci:** He's waving.

**The Chair:** I thought maybe his arm was stuck up there. Is there any other business?

**Mr Bob Wood:** I move that the committee adjourn.

**The Chair:** The committee is adjourned. Thank you very much.

*The committee adjourned at 1124.*









## CONTENTS

Wednesday 19 June 1996

Committee business .....	A-367
Intended appointment .....	A-367
John Lacey .....	A-367
Subcommittee report .....	A-370
Report, Manitoulin-Sudbury District Health Council .....	A-370

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Laughren, Floyd (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Martin, Tony (Sault Ste Marie ND)

\*Bartolucci, Rick (Sudbury L)

\*Crozier, Bruce (Essex South / -Sud L)

\*Doyle, Ed (Wentworth East / -Est PC)

\*Ford, Douglas B. (Etobicoke-Humber PC)

\*Fox, Gary (Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud PC)

\*Gravelle, Michael (Port Arthur L)

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Newman, Dan (Scarborough Centre / -Centre PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Wood, Bob (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Marchese, Rosario (Fort York ND) for Mr Kormos

**Clerk / Greffière:** Tannis Manikel

**Staff / Personnel:** David Pond, research officer, Legislative Research Service

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A-23



A-23

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 26 June 1996

# Journal des débats (Hansard)

Mercredi 26 juin 1996

**Standing committee on  
government agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues



Chair: Floyd Laughren  
Clerk: Tannis Manikel

Président : Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 26 June 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 26 juin 1996

*The committee met at 1002 in room 228.*

## INTENDED APPOINTMENTS

## PAUL VALENTINE

Review of intended appointment, selected by official opposition party: Paul Valentine, intended appointee as member, Windsor Housing Authority.

**The Chair (Mr Floyd Laughren):** We have before us this morning, the last meeting of the committee this session, three intended appointments to deal with. The first — we should get right to it — is Mr Paul Valentine to the Windsor Housing Authority. Mr Valentine, thank you for making yourself available this morning. You don't have to, but if you'd like to make a few opening comments, you'd be more than welcome to do so.

**Mr Paul Valentine:** Yes, I would like to. I'd like to give you a little bit of background with regard to my qualifications for the position on the Windsor Housing Authority. I'm a retired secondary school principal with 34 years of experience in education as a teacher and approximately 21 years as an administrator. I've lived in Windsor my entire life. I know the community of Windsor from the standpoint of living in the west end, the east end and the south end of Windsor itself. Also, I was fortunate enough to be at six secondary schools, where I also worked in the west end, the south end and the east end of the city. I also got involved outside the educational environment with regard to working with youth groups in the community, especially in the sports area, as I come from a sports background.

However, since my retirement from education — I have my anniversary tomorrow — I've decided that I really miss the communication and the professionalism in working in the community. I was very active before and I found that once I retired there was a real void in my life personally. I felt I should continue to get involved in the community and work again with people with whom I had so much influence and success during my tenure as a principal within the Windsor secondary school educational system.

As far as why I'm getting involved in the boards is concerned, I think I've expressed that in the fact that I made it known in the city with social agencies and through the Rotary itself and other people I've come across and worked with through the years that I would like to stand for various committees if vacancies became available. Just recently, I became a board member for the city of Windsor for the Ontario Association of Credit Counselling Services. I've become more active in the community through the Rotary. I also let my name stand,

as you are well aware, for this appointment that we're here to discuss today.

In summary, I'd just like to say that I believe in communication, team building and shared decision-making. I've always operated my life in terms of an open-door policy, with not only my family but the people I work with. As far as rendering opinions on various topics is concerned, I've always found through my experience that it's important to really evaluate the situation and observe the various things before you make a knowledgeable decision or render an opinion on various topics.

In closing, the one thing that I found made me more aware of the housing situation in Windsor was that I was a vice-principal in the west end of the city some years ago. The majority of our students came from public housing, so I had a great deal of contact with the students themselves and also with the families as far as their needs were concerned.

That is a summary of my qualifications for this position.

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Mr Valentine, and welcome. I've got a couple of questions that I've prepared. Are you familiar with the duties of a local housing authority?

**Mr Valentine:** Yes. I had the opportunity to contact the manager of the housing unit and the chairperson for the 11-member board to get more insight into it. I also talked to workers who have been employed at the Windsor Housing Authority.

**Mr Ford:** Each local housing authority must prepare an annual budget for administration of the authority and the operation of the housing projects. How will your experience as department head and principal contribute to the Windsor Housing Authority budget process?

**Mr Valentine:** I've been very fortunate to have served on municipal committees. I was president of the board of directors for the Roseland Golf and Curling Club, which is owned by the city. We had to deal with budgetary items, with personnel and with the needs of the community in that particular area. Second, I also was president of the Ontario Federation of School Athletic Associations, which receives funding from the government, and in that capacity I had the opportunity to work with personnel and budgets.

Of course, my main forte, being in education and having to endure and work with any type of budgetary cuts, was that I worked with the budget itself and I worked with people to try to explain to them exactly what the impact of the budget would be on education and the secondary schools. In terms of my background, I have a great deal of experience in that area.



**Mr Ford:** You have had a great deal of experience in managing large budgets and labour, plumbing, utilities — all this type of thing?

**Mr Valentine:** I wouldn't go as far as labour and utilities.

**Mr Ford:** Administration?

**Mr Valentine:** In terms of administration and working with trustees and various boards and so on, I've had a great deal of input and experience along those lines.

**Mr Peter L. Preston (Brant-Haldimand):** Sir, what are some of the important issues in Windsor regarding people in rent geared to income?

**Mr Valentine:** From my observations — again, I'm not on the board at this time — I know that in the Glengarry district, which is opposite the new casino being built, the present local authority is looking into possibly redeveloping that area or partially redeveloping it or just leaving it alone. Obviously this is going to be of real concern for the tenants of these particular buildings. From what I can see, with the fact that they're receiving input from the tenants before any decisions are made in cooperation with the Ontario Housing Corp, I think they're headed in the right direction.

1010

**Mr Preston:** You've done a lot of committee work in your past. What type of committee work would you be interested in at the Windsor Housing Authority?

**Mr Valentine:** Looking over the responsibilities and so on, there are a number of areas I feel qualified to be in. I often think about the needs of the tenants and of course the kids I've come in contact with and so on, and I can see that there is a real need to meet the needs of the people living in these areas; their self-esteem is extremely poor, and it's very important that they are met. They can be met in a number of ways, with saving secure environments and with proper dialogue taking place and so on. If there was a committee along those lines or if there was any type of strategic planning — I could go on and on — I feel I could offer some help in those areas.

**Mr Bob Wood (London South):** We'll reserve the balance of our time.

**Mr Rick Bartolucci (Sudbury):** Paul, welcome to the committee and congratulations on celebrating your first anniversary as a superannuated teacher of Ontario. Certainly after 34 years you deserve to have 34 years in retirement, and I hope you get that many years into it. I'd like to thank you for all the work you've done with children over the course of the last 34 years. You deserve credit for that. Being a teacher on leave and having to go back to it, I'm worried about what I'll be facing in the next four or 10 years from now. Enjoy your retirement.

Are you in favour of the government's initiative to, first of all, sell off scattered units?

**Mr Valentine:** You're asking me if I'm in favour or not. It's difficult for me to be knowledgeable on all the issues at this point and to have an opinion. I'd rather reserve judgement until I really get involved in the actual board itself and know what the issues are and what the policy and guidelines are at this time.

**Mr Bartolucci:** There are approximately 84,000 public units. You referred to the west end school. I taught in an inner-city school, was principal of an inner-city school,

and had almost the same type of student population that you had. What would be the impact in your west end school if those public units weren't available to those students and those families? More than just living accommodations, maybe give the committee, as a principal and as a teacher, the broader ramifications of the question.

**Mr Valentine:** I'll answer it from the standpoint of my working relationships with the students in the west end going back some time. Stability and self-esteem are extremely important to these kids and also, obviously, to the parents. When you come from varied backgrounds of families with single parents, no parents and those kinds of things, it's very difficult for these kids to feel good about themselves and attend school on a regular basis. A lot of their problems stem from the environment in which they live.

Having a master's degree in guidance counselling got me really involved from the standpoint of assistant principal at that time, working with these families and trying to make them feel good about themselves. I think any type of disruption in their lives where they have to make major decisions about living accommodations could have a direct influence on the success of these students in school.

**Mr Bartolucci:** That's a very honest answer and I appreciate it. I think you'll be an excellent appointee to the board. If you're as open as you are with the answer to that particular question, I think the housing authority is lucky to have you.

**Mr Dwight Duncan (Windsor-Walkerville):** Congratulations, Mr Valentine, on your appointment. You have an outstanding reputation in our community as an educator and I'm sure you will be welcome at the housing authority.

I have some specific questions that have been discussed quite publicly in Windsor. The Glengarry units are among the 84,000 being looked at being closed down. There's been a very public debate about the future. Mr Carson has been down to the city. We've had public meetings about it. What are your views about Glengarry and what alternatives would you see to closing them down?

**Mr Valentine:** I mentioned the Glengarry situation to Peter Preston with regard to the casino and so on. As for giving you a concrete answer with regard to alternatives, I don't really think I'm equipped or educated enough at this time. All I know is that there are the very great concerns of the people living in these units and I feel they have to be addressed. I think presently the local housing authority is addressing these and receiving input from the tenants in this position. They're also looking at the buildings and doing audits and things of this nature. But as far as giving you a direct answer on that is concerned, I don't think I'm qualified at this time.

**Mr Duncan:** Part of my fear, Mr Valentine, just so you'll be aware, is that board members of the housing authority historically have complained that they're kept in the dark by the local authority, and the fact that you're not up to speed on these issues prior to a hearing tends to lead me to believe that you're going to be another one of those members who becomes frustrated with the local management of the authority. That's not a partisan



statement; that's something I've heard over the years through successive governments. I want to come back to this. What will you do to ensure that you get the information?

The story about the Windsor Housing Authority Glengarry thing broke in the Windsor Star long before any of the board members knew about it. As you're aware, one reason there are vacancies is not only because the government has decided to make new appointments, but because members have resigned. What will you do to ensure that you are not one of those board members who become frustrated because nobody briefs you about what's going on? That's a fear, by the way, that as a member of Windsor city council for a number of years we also had with the local housing authority. What will you do to ensure that doesn't happen to you? I'm a bit concerned, because I would have thought they might have given you some background prior to this meeting.

**Mr Valentine:** First of all, I want to address your first concern. I'm not a passive individual, and when I sit on boards I like to have answers. I'm not going to sit back and be in the dark, because how can anybody make decisions if they're sitting back and they're in the dark and no one's providing information?

In fairness to what you just said, I have received information on various responsibilities as far as Windsor housing is concerned. I have contacted the manager of the Windsor housing unit. I have contacted the chairperson. I'm gathering this information now. As I say, I just found out last week that my appointment had been forwarded. I've done a lot of homework up until now, and I continue to do my homework, and I will ask pertinent questions based on my community, because the public interest is foremost and my opinions are secondary, and I'm going to address that.

**The Vice-Chair (Mr Tony Martin):** Any more questions from the Liberal caucus? You have a bit of time left. No? Then we'll move to the NDP caucus.

**Mr Peter Kormos (Welland-Thorold):** Notwithstanding my natural aversion to lawyers, social workers and teachers, I note that Mr Valentine is retired. I suspect that he'll be a good member of the board and is qualified to be on it. I congratulate him on what I expect will be a unanimous approval of his appointment.

**The Vice-Chair:** Any further questions from the government caucus?

**Mr Bob Wood:** We'll waive the balance of our time.

**The Vice-Chair:** Fine. Thank you very much, Mr Valentine, for coming this morning. We wish you well.

#### CHARLES CARRICK

Review of intended appointment, selected by third party: Charles Carrick, intended appointee as member, Tilbury Police Services Board.

**The Vice-Chair:** I call our next intended appointment, Charles F. Carrick, selected by the third party, intended appointee as member of the town of Tilbury Police Services Board. Welcome. Make yourself comfortable. If you have an opening few comments, you're certainly welcome to begin.

**Mr Charles Carrick:** First of all, I'd like to thank the Chair and the members of the committee for hearing me

this morning. It's a beautiful day. I think I'll start by saying I don't want to take up much of your time in talking about myself. You probably have all read my application. I come from the town of Tilbury, which is 30 miles from Windsor. I was born in that town. I started on council. I've been on a total now of 38 years: 17 years as mayor and 17 years sitting on the police services board. At the time, the chair was always appointed by a provincial agent, so I just sat back at that time.

I might mention too that I was an ex-OPP officer, so I had it very easy in dealing with and understanding both sides. The only time we really had any trouble in all my experience, and it wasn't even trouble as far as I was concerned, was that we always tried to get the budget down to where we could satisfy the police association and also you're sitting trying to satisfy the council and the taxpayers. We only had the one time we had to go from negotiations to conciliation to arbitration. I will say of that time of arbitration, it was good, it was honest, both sides accepted it and we had no problem at all.

#### 1020

On our police force in Tilbury we have a nine-man force, including the chief. We have no trouble with our police. They do a good job. Tilbury itself is an industrial town; it's not a tourist town. We sit, like I said, 30 miles from Windsor and sometimes the overflow from Windsor now at the casino and everything else working together keeps our police in trim.

I don't want to take up your time talking about Tilbury because I know you've got questions to ask, but I do think we have a good force there. We get along well and right now, at the present time, together with the police force, the council and all the organizations, we're getting a hall for the young people who hang around the streets. They're going to run this hall themselves, monitored by the police force, by the council and the organizations, the Lions Club, Rotary, the whole thing. We think this is going to help the boys who are standing around the businesses uptown.

I don't think I have much more to say about it, but no problem with our police at the present time. With my experience, I'll go in and I'll give it all I've got. The reason I applied is because, after pretty near five years, I missed it and I really love the political game at that lower angle right in Tilbury, so that was the reason I applied. When I saw your ad in the Tilbury Times asking for one I answered it.

**The Vice-Chair:** Thank you very much. We'll start this round of questioning with the Liberal caucus.

**Mr Bruce Crozier (Essex South):** Good morning and welcome to the committee.

**Mr Carrick:** Thank you very much.

**Mr Crozier:** In reviewing your background, your municipal experience, the fact that you've lived in the town of Tilbury for so long — Tilbury's just on the edge of my riding, but it's a great little community — keeping in mind your background and the knowledge you have of the town, I want to ask your opinion. Are you familiar with the events that have recently occurred in the town of Wallaceburg with their police services?

**Mr Carrick:** The only thing I can tell you in that particular instance is that if you follow the Ontario Police Act, I think they made a mistake in doing what they did



first by not following the Police Act, if they would have followed it through. Probably another reason they thought they were doing it right was that when they got cut back they thought, "We'll just go ahead and lay off the chief and we'll lay off this and we'll lay off that," but actually they should have taken the steps of the Police Act. That's what we always do. We go right by the Police Act.

**Mr Crozier:** I agree that there's a way to do things, but if you'll excuse me, what I'd like in the way of your opinion, you mentioned that it was always an attempt to keep the police budget at a reasonable level so that it satisfied everyone.

**Mr Carrick:** We always did.

**Mr Crozier:** Although they may have done it either the wrong way or maybe they simply didn't have any control over it at all, they were attempting to do just what you said you should do, that is, to control the budget and satisfy the taxpayers. If you were met with a situation like that, the severe budget constraints the city of Wallaceburg has had, and the fact that the Ontario Civilian Commission on Police Services can simply prevent you from doing what you feel you have to do — would you like to see that changed? Do you think there should be a change so there can be more local autonomy and control?

**Mr Carrick:** To answer your question, first of all, if the they took the steps in the right way in following the Police Act, and then going to the Ontario Police Commission and finding out whether they could do it right or whether they couldn't do it right, then they would hire their lawyers and go on from there to see what they're going to do. If they haven't got the money, then there's no other way out. They'd still have to go ahead and do it.

**Mr Crozier:** But if you'll excuse me, that doesn't answer the question. I said, would you prefer as a member of the police services board to have more autonomy and control over your budget and not be ruled by an appointed body at the provincial level, that being the Ontario Civilian Commission on Police Services?

**Mr Carrick:** First of all, I would have to look at whether we would have enough protection by — the main thing, to be able to have enough protection there, whether you lay anybody off or whether you don't. That's number one. You've got to still provide protection for that town. If that group is needed, then you'll have to go on and pay it and you'll have to have policing there.

**Mr Crozier:** Sir, I'm going to keep at this until you answer my question.

**Mr Carrick:** You stay with it.

**Mr Crozier:** You haven't told me whether you would prefer, as a member of the police services board, to have the autonomy to control, yes, both the service that's required, but that you, as a member of the board or the board collectively, could make that decision and not have to answer and/or abide by the decision of another body at the provincial level. Do you want that control at the local level?

**Mr Carrick:** To answer your question, I would say that, if I didn't have the money, that's number one. If I didn't have the money, I would go to our lawyer and find out what I could do. But I still think that if we haven't got the money, we can't afford it. The only thing I could do then is tell you that the police'll be going.

**Mr Crozier:** If you could rewrite the act, would you give more autonomy to local police services boards?

**Mr Carrick:** That's the job, to rewrite the act. I think I would.

**Mr Crozier:** Ah, good. That answers my question. Because I too, like you, sir, was mayor, of the town of Leamington, and we always felt, both when I was on council, then when I was mayor and subsequently on the police services board, that it should be in local hands. Who can tell better the level of service that's required and who can tell better whether that level can be afforded or how it can be afforded? I don't want to put words in your mouth, but I think we agree that that's the level at which the decisions should be made, and not to have an Ontario civilian commission tell us what we should do. Do we agree on that?

**Mr Carrick:** We agree to the point that we've got to keep in mind that you've still got to have enough policing in the town, be it in Leamington or be it in Tilbury.

**Mr Crozier:** Absolutely.

**Mr Carrick:** It's got to be there.

**Mr Crozier:** Okay. I appreciate your comments.

**Mr Bartolucci:** Mr Carrick, being a former police commissioner — or member of the police services board, excuse me; they change the names every once in a while — did you ever have reason to question — let's ask another question first. What committees did you sit on when you were a member of the police services board? Or did your police services board have committees?

**Mr Carrick:** No. You see, there were two provincial appointees and the mayor. He sat on there by virtue of his office.

**Mr Bartolucci:** You did that for 17 years?

**Mr Carrick:** Now the mayor can appoint a member of the council to that police commission.

**Mr Bartolucci:** And you did that for 17 years?

**Mr Carrick:** I sat there for 17 years.

**Mr Bartolucci:** Did you ever sit on the complaints commission, or did you have a complaints commission?

**Mr Carrick:** Yes, we had complaints come in and we'd go through — the same as the act. They would complain first to the chief. If they didn't get any answers, they'd come to the commission, and if we couldn't give them any answers, we went to the Ontario Police Commission. But we never had to go that far.

**Mr Bartolucci:** What did your police officers think when that structure changed?

**Mr Carrick:** We had no problem with the police.

**Mr Bartolucci:** Your police officers didn't complain?

**Mr Carrick:** No.

**Mr Bartolucci:** They're unique, then, because every other appointee who's come here and I've asked that same question of have said their police officers were frightened that the time it was going to take was really unfair for the police officer. That's not been a problem?

**Mr Carrick:** Never had a problem with the police in the 17 years I sat on the board.

**Mr Bartolucci:** No, with the processing of complaints.

**Mr Carrick:** Nothing at all. In fact, we'd call a public meeting and hardly anybody'd show up, just like Mr Crozier probably has in Leamington. They don't come to the meetings.



**Mr Bartolucci:** Complaints are never handled in public anyway. Complaints are always handled privately. Correct?

**Mr Carrick:** But you can't even get people to sit and listen.

**Mr Bartolucci:** You never handled your complaints in public; you always handled your complaints privately?

1030

**Mr Carrick:** In private, right.

**Mr Bartolucci:** I see that there are no budget figures for this year for your town with regard to policing. Are you familiar with the budget?

**Mr Carrick:** Yes. I stay right on top of it. The mayor has not yet brought out the final taxation for Tilbury, and that's probably one of the reasons, but I can give you a ballpark figure, that Tilbury is well over half a million. It was \$525,000 when I left.

**Mr Bartolucci:** Finally, just a follow-up and a simple answer: As the mayor for 17 years, were you never frustrated by the appointees who were on the board?

**Mr Carrick:** No. We had very good appointees.

**Mr Bartolucci:** It's amazing. So you never wanted to have control, wanted to have the power at the local level?

**Mr Carrick:** No. They were all very good.

**Mr Crozier:** Chief Wayne Radlin is retired, I understand.

**Mr Carrick:** Right.

**Mr Crozier:** Where is Wayne these days?

**Mr Carrick:** Wayne is out at the lighthouse. He's got the boat ramp out there and he sells gasoline. He's still there. He's still doing it.

**Mr Crozier:** An old friend from way back, so I'm pleased he's doing fine.

**Mr Carrick:** Yes, that's right. He went on the police force young.

**Mr Kormos:** Mr Carrick, I spent a day in Tilbury just a few weeks ago.

**Mr Carrick:** I think I saw you there. I saw you at the convention too. You were on TV.

**Mr Kormos:** God bless.

**Mr Carrick:** Right. I check on them all.

**Mr Kormos:** What business do you own there?

**Mr Carrick:** I own the piano business. I have a building with apartments in it. I'm just semi-retired and doing this for volunteering.

**Mr Kormos:** Sure. This is a municipal force, correct?

**Mr Carrick:** A municipal force.

**Mr Kormos:** With nine officers.

**Mr Carrick:** A chief and eight officers.

**Mr Kormos:** Unfortunately, Bill 26 puts the future of communities like Tilbury at risk.

**Mr Carrick:** I understand that. I read Bill 26 real good.

**Mr Kormos:** That's right. They really put it to you with Bill 26. You said it's a nine-man force. Are there any women on the force?

**Mr Carrick:** Yes, we have two now.

**Mr Kormos:** So a nine-person force. I've been struggling with it too, Mr Carrick. I wrote down "nine-man"; I've got to put down "nine-person."

I saw the letter in your submission. You cc'd it to Jack Carroll: "A clipping of the Windsor Star dated December

4, 1995, drew my attention to your new government stating that they were going to appoint some new members to the police services boards across the province due to the fact that they are not qualified to do the job properly."

I don't know what that means.

**Mr Carrick:** I couldn't tell you that. The man who wrote that is the one who said it. It's the only man who did that. I just cut that out of your paper. That had nothing to do with me.

**Mr Kormos:** But this is your letter.

**Mr Carrick:** No, no. That was sent there because they were wondering why I was applying.

**Mr Kormos:** I don't know what the first paragraph means.

**Mr Carrick:** He must have had some reason, whoever brought that out, that they weren't doing good.

**Mr Kormos:** This is your letter.

**Mr Carrick:** That's right.

**Mr Kormos:** So what's "due to the fact that they are not qualified to do the job properly"?

**Mr Carrick:** I'll tell you the reason for that. The reason that paragraph is there is that at the time they removed — or she finished her term with Windsor. That's when that same thing came out, when the lady in Windsor came off the police committee.

**Mr Duncan:** She was very qualified.

**Mr Carrick:** Yes, she was.

**Mr Duncan:** In fact, she was chair of the Ontario Police Commission and she came off the Ontario Association of Police Services Boards.

**Mr Kormos:** Fair enough. So the ad indicated that the government was putting new people on police services boards because the old people were not qualified?

**Mr Carrick:** That's the way it read, I wouldn't say that to you.

**Mr Kormos:** What about the Tilbury Police Services Board? Never mind Windsor.

**Mr Carrick:** The police services board has no problems.

**Mr Kormos:** Who are you replacing on that?

**Mr Carrick:** Mrs Robitaille. Her term's up. That's the only reason.

**Mr Kormos:** She was certainly qualified, wasn't she, Mrs Robitaille?

**Mr Carrick:** Yes, she was. This is other places in Ontario. I know what you're getting at. You're a lawyer. Good question.

**Mr Kormos:** You're an ex-mayor. You've got a lot more experience than I do.

**Mr Carrick:** You just asked me what you want me to say.

**Mr Kormos:** I want you to tell me what you think.

**Mr Carrick:** I think if they're not qualified, they shouldn't be on the board. I agree with that.

**Mr Kormos:** Quite right. What about Mrs Robitaille?

**Mr Carrick:** She is qualified. She sat with me for years and years.

**Mr Kormos:** Did you talk to her at all before you submitted the application?

**Mr Carrick:** No. Why would I talk to her? I didn't even know you were going to put an ad in the paper



wanting a police service man. That part went in with the letter.

**Mr Kormos:** You saw the ad in the paper, which is what prompted you to send this letter to the public appointments unit, right?

**Mr Carrick:** Yes. I saw the ad in the paper.

**Mr Kormos:** You knew that you were replacing Mrs Robitaille?

**Mr Carrick:** I didn't know that at the time. All I saw was the notice from the government stating they needed a new man in Tilbury.

**Mr Kormos:** A new —

**Mr Carrick:** A new boy for the police services board.

**Mr Kormos:** Did you know whom you were replacing?

**Mr Carrick:** Yes.

**Mr Kormos:** Mrs Robitaille?

**Mr Carrick:** Right. And I knew why.

**Mr Kormos:** Why?

**Mr Carrick:** Because her term was up.

**Mr Kormos:** Do you know whether or not she re-applied?

**Mr Carrick:** That I don't know. I couldn't tell you.

**Mr Kormos:** Who are the other two members of the police services board?

**Mr Carrick:** According to the way I understand it right now, you stay on six years and you're appointed every two years. I think you'll read that that's the way it's done.

**Mr Kormos:** Who are the other two members of the police services board?

**Mr Carrick:** Right now?

**Mr Kormos:** Yes.

**Mr Carrick:** You have the mayor who sits on there, and David Drouillard. He is with the help centre.

**Mr Kormos:** How long has Mrs Robitaille been a member of the police services board?

**Mr Carrick:** She was there with me. She must be there six or eight years.

**Mr Kormos:** Would you like to see her reapply at some point down the road?

**Mr Carrick:** It's entirely up to her. If she sees an opening, she can apply for it.

**Mr Kormos:** Would you like to see her on the board?

**Mr Carrick:** She's very good. She was good, anyway. How she's been in the last five years I don't know. I haven't been there for five years.

**Mr Kormos:** You don't know. But you've been living in Tilbury.

**Mr Carrick:** I know, but I don't go house to house just checking with everybody. I used to do that when I was a policeman, but not now.

**Mr Kormos:** But you live there and you know what's going on, whether the police are happy or unhappy, don't you? Mr Carrick, you know whether the police are happy or unhappy with their services board, don't you?

**Mr Carrick:** As far as I know they're happy in Tilbury. That's all I can tell you. Outside the town of Tilbury I can't tell you. It's really none of my business, what they're doing outside of Tilbury.

**Mr Kormos:** We're talking about Tilbury.

**Mr Carrick:** If Tilbury isn't, they never told me. I get along good with all the officers there. I never heard of anything like that.

**Mr Kormos:** Mr Carroll — you cc'd him. Obviously you know Jack.

**Mr Carrick:** I just know him to see him, that's all.

**Mr Kormos:** Why did you cc him with your letter?

**Mr Carrick:** A copy of the letter to him, you mean? He's the Conservative MPP for Chatham-Kent.

**Mr Kormos:** Why did you cc him?

**Mr Carrick:** Why not?

**Mr Kormos:** I'm asking you why.

**Mr Carrick:** I thought maybe he could help, the same as anybody else could.

**Mr Kormos:** Fair enough. Did you talk to him at all about it?

**Mr Carrick:** Your Liberal member got one too.

**Mr Kormos:** Did you talk to him about it?

**Mr Carrick:** No, I never spoke to him in my life.

**Mr Kormos:** You sent the letter in. What happened next with the government in terms of being interviewed or checking out?

**Mr Carrick:** I don't know.

**Mr Kormos:** Did you have any phone calls with anybody?

**Mr Carrick:** No.

**Mr Kormos:** Did anybody interview you?

**Mr Carrick:** You are now.

**Mr Kormos:** Before today.

**Mr Carrick:** No.

**Mr Kormos:** Nobody interviewed you?

**Mr Carrick:** No.

**Mr Kormos:** Nobody at all from the Solicitor General spoke with you?

**Mr Carrick:** Just the girls, these letters here.

**Mr Kormos:** These girls who spoke with you — we have a girl in the audience; she might be interested — which ones are they?

**Mr Carrick:** Judy, and there was another girl from Queen's Park, Carol Hazard.

**Mr Kormos:** Let's take a look at those. Which one? Carol Hazard?

**Mr Carrick:** Yes, and Judy Ford — the only two girls I spoke to.

**Mr Kormos:** What did these two girls speak to you about?

**Mr Carrick:** They just told me when to come down here.

**Mr Bert Johnson (Perth):** Check your pockets on the way out.

**Mr Carrick:** You didn't take anything out of my pocket, did you?

*Laughter.*

**Mr Kormos:** It's remarkable how referring to women as girls elicits such laughter from the Tory ranks, but it's not unexpected, although this is 1996, not 1896. You weren't interviewed by anybody in the Solicitor General's ministry?

1040

**Mr Carrick:** I just sent my application in. That's all I did.

**Mr Kormos:** The only application you sent in was this one page, the letter we've got here?

**Mr Carrick:** Exactly.

**Mr Kormos:** Did you give a consent for a check of your record?

**Mr Carrick:** Yes, I did.

**Mr Kormos:** How did you do that? How did you provide that consent?

**Mr Carrick:** Well, you sign the papers you send in. I don't have it here.

**Mr Kormos:** Okay. That was a form that was sent to you by the appointments unit?

**Mr Carrick:** Yes.

**Mr Kormos:** And the form required you to consent to a record search?

**Mr Carrick:** I might mention to you, just for your benefit, that they did investigate me. I'm thinking that, anyway.

**Mr Kormos:** Is that the only other thing you signed with respect to the Ministry of the Solicitor General?

**Mr Carrick:** Yes, I think it is. It had a list of things that you sign for them to go ahead and investigate you. I think they did a good job of investigating; I'll have to give them credit for that. I'm glad I had a clean record, Peter.

**Mr Kormos:** I'm sure you did, sir.

**The Vice-Chair:** We'll move on to the government caucus.

**Mr Bob Wood:** You said a couple of minutes ago that you were in the piano business. How long have you been in that business?

**Mr Carrick:** For 38 years.

**Mr Bob Wood:** Prior to that you were with the OPP, or did you do something in between?

**Mr Carrick:** No. It was long ago I was with the OPP. I was mayor before that. I was always in the car business. I was in the automotive business from very young, General Motors and Ford in Tilbury.

**Mr Bob Wood:** So you were in the car business and then in the piano business?

**Mr Carrick:** That's right, and still with the car business while I'm in the piano business. My son is a technician, and we do all the schools and churches from Sarnia to Windsor.

**Mr Bob Wood:** You're still in the car business as well?

**Mr Carrick:** Not now. I'm semi-retired. I help him.

**Mr Bob Wood:** Could you briefly describe the sorts of community service activities you've done, if any?

**Mr Carrick:** Community activities, like Rotary, Lions? I belong to them all.

**Mr Bob Wood:** Which ones do you belong to?

**Mr Carrick:** The Tilbury Rotary Club and the Tilbury Lions Club.

**Mr Bob Wood:** Any other community service activities?

**Mr Carrick:** No. At that time there were only the two major ones. The Young Optimists are in there now.

**Mr Preston:** You've been in public life for quite some time.

**Mr Carrick:** Practically all my life.

**Mr Preston:** You've seen the needs in the community change. Well, you've seen the community change. What are the community changes in regard to police requirements?

**Mr Carrick:** The thing is, as we grew in industry we required more police because people were moving in. We came up from about 2,000 to close to 4,500 now, so we needed more policing. When I was young, one OPP took care of the town of Tilbury, about the same as they're doing in rural areas now.

**Mr Preston:** What challenges are facing the —

**Mr Carrick:** I think the challenge that's facing the local police forces is that we haven't got quite enough OPPs now out there on the road. They're going to cut back. I think what you're seeing, especially in our area, and Mr Crozier would know — in Essex and Kent you're seeing the amalgamation of municipalities. You have Chatham, Blenheim, Harwich and Raleigh. Those four townships are in the process of amalgamating, and they will use their services.

Tilbury sits right on the line between Essex and Kent. Last year alone we made 295 calls to the lighthouse area — that's out on the lake — in Essex. That's in the rural. We do that to support the OPP. What happens is that the taxpayer in Tilbury is paying for that.

**Mr Preston:** I see.

**Mr Carrick:** But I think there are going to be changes made now that the people in the rural are going to have to pay a little bit towards policing, which they didn't do before.

**Mr Ford:** Mr Carrick, thanks for coming today. I've got a few questions here, but you've nearly answered them all. It's a privilege to meet a person like you. You've been the mayor, a policeman, you've been on the board, you've done almost everything, and you belong to a major Rotary Club, of which I'm a member and have been for 35 years, so I know the work you've done in these areas. Also, you said you belong to Kiwanis Club, is it?

**Mr Carrick:** Lions.

**Mr Ford:** Lions Club — same thing. Lots of activity, lots of work, lots of commitment.

**Mr Carrick:** A very good organization.

**Mr Ford:** I don't see any problem with nominating you for the Tilbury police department. I have been down to Tilbury and I've been to so many small towns in Ontario, it's unbelievable. I was there and I always remember they made steel wool there.

**Mr Carrick:** No, that's Thamesville.

**Mr Ford:** Well, maybe that's where I was, then, but I've been to Tilbury too. They have a printing place down there. It prints plastics or something like that, right?

**Mr Carrick:** Right. There are 23 industries there. You have Siemens and you have Rockwell International.

**Mr Ford:** Okay, that's Tilbury. I think you'd be an excellent candidate for the police commissioner's office. I have no qualms about that.

**Mr Carrick:** I plan to do my very best.

**Mr Ford:** Yes, you seem to be, and congratulations.

**Mr Carrick:** Thank you.

**The Vice-Chair:** Any further questions on the government side?



**Mr Bob Wood:** We'll waive the balance of our time.

**The Vice-Chair:** I want to thank you for coming today, Mr Carrick. Your being here has been very helpful and I want to wish you well.

**Mr Carrick:** Thank you.

**Mr Bert Johnson:** Mr Chair, before he goes, I made a remark that put Mr Carrick and Mr Kormos in a bad light. It was the brunt of some mirth, and I want to apologize. It was out of place.

**Mr Kormos:** No apologies necessary. I've sat with enough lawyers and politicians in my lifetime to know that I'm nervous around them too.

**Mr Duncan:** Aren't you a lawyer-politician?

**Mr Kormos:** You're damn right, and I know too many of them, so no apology necessary. The intent was in jest.

**Mr Carrick:** I'm sorry, Peter, if I didn't answer your questions properly, but you know what I'm thinking, eh.

**Mr Kormos:** I know where you're coming from, Mr Carrick.

**The Vice-Chair:** Thank you very much, Mr Carrick.

**Mr Carrick:** Thank you, Mr Chair.

#### LINDA VAN AALST

Review of intended appointment, selected by government party: Linda Van Aalst, intended appointee as member, Owen Sound Police Services Board.

**The Vice-Chair:** The next interview this morning — we're running a little ahead of time — is Linda Van Aalst. Ms Van Aalst, please make yourself at home, be comfortable. If you have an opening statement to make, at your leisure please let us know.

**Mrs Linda Van Aalst:** Maybe I'll take the opportunity to tell you a little bit more about myself other than what was on my résumé. As I state in my résumé, I have lived and worked in the Owen Sound area for approximately the past 33 years. I am married. I have one child, a daughter who attends the University of Windsor. My husband works for Canada Post Corp. I work for Andres Wines and I have since 1987. As you can imagine, that leads to some interesting discussions at home between labour and management, but we have managed for the past so many years.

I feel very strongly about Owen Sound because it is my community. As I said, I've been there for 33 years, going to school, working, raising my child. That's just a little bit about me.

**The Vice-Chair:** Okay. Thank you very much. We'll start the questioning this morning with the New Democrat caucus and Mr Kormos.

**Mr Kormos:** Thank you, Ms Van Aalst. We've got a copy of your résumé attached here. You've been active in the community and it's a sound background. You're involved in the chamber of commerce. You're a business person?

**Mrs Van Aalst:** Yes.

**Mr Kormos:** What type of business is that?

**Mrs Van Aalst:** I work for Andres Wines. I manage a wine shop.

**Mr Kormos:** Okay. What attracted you to the police services board?

**Mrs Van Aalst:** It's something I've always been interested in. I have done work with the police services

before, or the police department, for quite a number of years. I started actually when my daughter was in public school. We started a bicycle safety committee in Owen Sound promoting safe cycling and the use of helmets, that type of thing. So I worked very closely with the police department with that because of course the police were involved in all our bicycle rodeos and going to the schools to speak to the children.

I was also invited to some crime prevention meetings as well, once as a presenter where I presented a topic on shoplifting and employee theft in the workplace. So I have been involved with them from time to time. It's always been an interest.

**Mr Kormos:** At this point, I presume there was an ad indicating that there were openings available.

**Mrs Van Aalst:** Actually a friend of mine had phoned me and mentioned that there was an opening, so I submitted my résumé at that point.

**Mr Kormos:** A friend called you to advise you that there was an opening?

**Mrs Van Aalst:** Yes.

**Mr Kormos:** The friend was in a unique position to know that there was an opening?

**Mrs Van Aalst:** On city council, actually.

**Mr Kormos:** Fair enough, because this is a municipal police force, not a regional police force.

**Mrs Van Aalst:** That's right.

**Mr Kormos:** What sorts of things are on your agenda? I'm not suggesting it's wrong, I'm suggesting it's normal to have an agenda. What sorts of things do you want to bring to the police services board that are a part of or a reflection of your life and your position in the community?

1050

**Mrs Van Aalst:** Something that I feel strongly about and I think most committees and organizations are the same with, the funding cuts. I feel very strongly about having any of the services cut through necessity that would lead to any increased crime or safety issues in the city.

**Mr Kormos:** It's interesting, because a Niagara regional police officer who I spoke with on videotape recently, and one with 10 years' experience, told me that, for instance, there are no investigations taking place of residential break-and-enters in Niagara region and the only time there's an arrest is when there's a confession. When victims call the police station and call up the CIB, the criminal investigations branch, and say, "How's your investigation coming?" the CIB officer says, "Oh, ma'am, sir, we're on it and we're following up." It's all public relations. In fact, things like residential break-and-enters don't get investigated. I don't think the Niagara region is that different from other police forces. And it's not a matter of skill or competence; they're among the best, I'm sure. They're just understaffed. How do you approach that then as a police services board member? You know what the current line is.

**Mrs Van Aalst:** At this point, I'm not sure because I haven't been involved with the committee up to this point, so I'd have to reserve judgement on that until I've been more in —



**Mr Kormos:** I'm not trying to pin you down. You express a concern about the adequacy of policing. Am I fair in putting it to you that way?

**Mrs Van Aalst:** Yes.

**Mr Kormos:** And maintaining an adequate level of policing. You know that some police forces are embarking on their own fund-raising?

**Mrs Van Aalst:** I have heard that, yes.

**Mr Kormos:** Do you have a gut response to that?

**Mrs Van Aalst:** No, really I don't. It may be something of necessity. That's something we'd have to look at. I'm very fortunate because July 23 we're having a facilitator come in and we're having a session for the day where we will be planning the budget for 1997, so I've been told. So I'm coming on at a good point where I can get a feel of what —

**Mr Kormos:** How many members are on the board now?

**Mrs Van Aalst:** Five.

**Mr Kormos:** How many are appointed by the government?

**Mrs Van Aalst:** Three, I believe, and two are municipal.

**Mr Kormos:** How many are being replaced? Obviously you're replacing —

**Mrs Van Aalst:** Just one.

**Mr Kormos:** Who are you replacing? Do you know?

**Mrs Van Aalst:** I think his name is Chris Martin, but it's not someone I'm familiar with.

**Mr Kormos:** Are you familiar with any of the other personalities on the board currently?

**Mrs Van Aalst:** Actually I am. I have worked with them on different committees before.

**Mr Kormos:** Who are they?

**Mrs Van Aalst:** Bob Nicol is the vice-chair and he's actually president of the chamber of commerce this year, so we have worked — and with bicycle safety. He was involved in that through the Kiwanis Club because they were a sponsor. Also, Ross Morrison who was a past president of RBW in Owen Sound, and again I've worked with him on different committees.

**Mr Kormos:** You're from Bill Murdoch's turf, aren't you?

**Mrs Van Aalst:** Yes, I am.

**Mr Kormos:** Is he supportive of your application?

**Mrs Van Aalst:** Yes, he is.

**Mr Kormos:** He was made aware of it?

**Mrs Van Aalst:** Yes.

**Mr Kormos:** When you made the application?

**Mrs Van Aalst:** Yes. I let him know at that point.

**Mr Kormos:** I don't see any letters. Did he write a letter of reference?

**Mrs Van Aalst:** Not that I'm aware of.

**Mr Kormos:** Did he talk to anybody? We haven't got any of that material. I like Bill. Do you know whether he's talked to anybody about it?

**Mrs Van Aalst:** Not that I'm aware of.

**Mr Kormos:** What did he indicate to you?

**Mrs Van Aalst:** He was supportive of my application. He's aware of my work in the community. Actually I've known Bill since high school, so he knows how involved I've been.

**Mr Kormos:** That's a scary prospect.

**Mrs Van Aalst:** It certainly is.

**Mr Kormos:** I've not known him that long, but he's a challenge.

**Mrs Van Aalst:** It does go back a ways.

**Mr Kormos:** He's something else. I like him. In any event, those are my questions, Chair. Thank you, Ms Van Aalst.

**The Vice-Chair:** We'll move on to the government caucus.

**Mr Ford:** Good morning, Linda. Welcome. I've got a couple of questions maybe you can answer. Are you an active member of your community as a volunteer?

**Mrs Van Aalst:** Yes, I am.

**Mr Ford:** What prompted you to volunteer for this city's police services board?

**Mrs Van Aalst:** As I said, it's something I've always been interested in through work with the bicycle safety committee and crime prevention. When you work in a community the size of Owen Sound, you run across the same people over and over again. I have a very strong pride in our police department; I think we have some wonderful individuals on it.

**Mr Ford:** You've been associated with it previously?

**Mrs Van Aalst:** Yes.

**Mr Ford:** Are you familiar with the responsibilities of the police services board?

**Mrs Van Aalst:** Yes, I am.

**Mr Ford:** In what way?

**Mrs Van Aalst:** Just through talking to the chair and the vice-chair, and also I got some material on it and made myself aware of some of the responsibilities.

**Mr Ford:** Have you been involved with the Ontario Chamber of Commerce, and what experience will this bring to the city of Owen Sound's police services board?

**Mrs Van Aalst:** I was a director on the Ontario chamber for a year. I don't think being on there for a year gives you a complete feeling of everything they do, but it certainly makes you aware of government processes and how they take place. I think I probably gained more experience through our own chamber of commerce, dealing with the people, because we have one of the first chambers of commerce in Ontario and in the 125th year I took over as the first female president. I certainly gained a lot of experience that year in dealing with the different members and bringing a different outlook to it.

**Mr Ford:** I made a wrong guess the last time I was talking to the previous gentleman. Is Pillsbury still in Owen Sound?

**Mrs Van Aalst:** It doesn't ring a bell.

**Mr Ford:** No? Wrong town again. I must be geographically getting off course here.

I don't think I have any more questions.

**Mr Preston:** You obviously have broad experience in the community and you're going to bring your broad community perspective to the board. What are the community's concerns with the police department, the police services?

**Mrs Van Aalst:** Again, because I haven't been directly involved with it, I only know what I've read in the newspaper, and you know that not everything in the newspaper is 100% true.



**Mr Preston:** Don't believe that, no.

**Mrs Van Aalst:** I think funding is a big issue.

**Mr Preston:** That's the primary concern across the province. I don't have any more questions.

**Mr Bob Wood:** We'll reserve the balance of our time.

**Mr Crozier:** Good morning. Welcome to the committee. I would say at the outset that I see no reason at all why your appointment won't be confirmed, and I wish you well on the police services board.

I would like to ask you, then, your opinion on a couple of issues. I asked this of the gentleman who appeared before from the Tilbury Police Services Board. You've said you're coming in at the right time in that you're going to be dealing with the 1997 budget shortly and that funding, financial resources, are certainly important to all police services boards.

I suppose you're aware that, for example, if your police services board decides to hire extra officers or employees, it has the complete authority to do so. I think we can agree on that.

**Mrs Van Aalst:** Yes.

**Mr Crozier:** But when it comes to reducing the force, you don't have complete authority to do that. The city of Wallaceburg recently reduced its police force by three, notwithstanding the fact that it may not have done it according to the rules. The entire police services board — and I guess the Ontario Civilian Commission on Police Services has the authority — relieved all of the members of the Wallaceburg Police Services Board for the move that it took. Do you agree that the local police services board should have the autonomy to determine not only what officers should be hired but how the force should be reduced if that is deemed to be necessary for financial reasons and the community can continue to be protected adequately?

1100

**Mrs Van Aalst:** Again, I don't know enough about the running of it. I would certainly hope if something needed to be reduced in the way of manpower that it certainly wouldn't be the officers out on the street, that there must be another way of reducing costs somewhere.

**Mr Crozier:** I agree with you it's paramount that our communities be adequately protected, but through circumstances, be it that the province, which they have done, has reduced funding to municipalities, and it may be that the assessment base changes in a municipality, as was the case in Wallaceburg, but the point I'm getting at is — I wonder how you feel about this — that the police services board has certain autonomy to do certain things, and yet it would appear when it comes down to a reduction in manpower, constraining the expenditures that the police services board feels are necessary, this can be taken to an independent commission. Notwithstanding all the good reasons you might have, the authority is vested in this provincial body who are not answerable to the citizens in your municipality, and they have the authority to in fact tell you what you're going to do. Would you like to see more authority vested in the local police services board?

**Mrs Van Aalst:** I can't really answer that, because I don't know exactly how much authority they have. I know on the basis of what I've read exactly what they

do, but until I'm more involved in it, I don't know exactly how much authority they have.

**Mr Crozier:** Certainly I agree with you, you can't answer something you simply aren't familiar with, but I would ask that when you are serving on this board you pay particular attention to the relationship between the Ontario — they've changed the name, and I want to get this right — the Ontario Civilian Commission on Police Services. Pay particular attention to the relationship and the authority that commission has over your board and how it affects the autonomy of your board, and if you feel that should be changed in any way or you have some opinions on that, I urge you then to let the government know how you feel about that.

Having vast experience, I was on a police services board in our own town, and I just had that feeling at the time. I urge appointees to boards to pay particular attention to the authority that you have and how you feel about that authority. I wish you all the best in your appointment.

**Mrs Van Aalst:** Thank you very much.

**The Chair:** Mrs Van Aalst, you might note that Mr Crozier is looking particularly elegant today. He's celebrating his birthday, and we wish him a happy birthday.

**Mrs Van Aalst:** Happy birthday.

**Mr Crozier:** Thank you.

**Interjection:** Happy birthday, Mr Crozier.

**Mr Crozier:** Thank you. I don't feel any older.

**The Chair:** Are we okay on this side?

**Mr Bob Wood:** Yes. We waived the balance of our time.

**The Chair:** Thank you for appearing before the committee. We appreciate your presence here. You probably know the process, that the committee now has a discussion on the various intended appointments, and you will hear very shortly.

**Mrs Van Aalst:** Thank you very much for inviting me.

**The Chair:** That brings us to the part on the agenda where we deal with concurrence.

**Mr Bob Wood:** I move concurrence in Mr Valentine.

**The Chair:** There's a motion. Do you wish to speak to that?

**Mr Bob Wood:** I'll speak at the end, if need be.

**The Chair:** Okay. Any comments? I don't want to rush you. All those in favour of concurrence? It's carried. Thank you.

**Mr Bob Wood:** I move concurrence in Mr Carrick.

**The Chair:** You'll speak later? Mr Kormos.

**Mr Kormos:** We were provided with, as the rules require, the form from the public appointments secretariat which contains, among other things, with respect to Mr Carrick, "Candidate search process," and it indicates on that form that the vacancy was advertised in the local newspapers and interviews were conducted by the public appointments unit and a member of the minister's staff.

I think there's a problem here. I think somehow this one slipped by without — I don't know how it ended up being recommended for appointment, because Mr Carrick was very candid in telling us that there were no interviews, that he had no contact whatsoever in terms of interviews, in terms of conversation with anybody from



the public appointments unit or anybody from the minister's staff. I questioned him pretty thoroughly on that, and Mr Carrick, I am confident, was very candid in his response. I don't suspect him of attempting to mislead the committee at all.

That causes me some great concern, because it appears that Mr Carrick slipped through without having undergone the appropriate interviews. For that reason, it's going to be impossible for me to support his appointment. Needless to say, if I were one of the two police officers who are women in the police services of Tilbury, I'd similarly be concerned.

He's a fine gentleman. I have no quarrel with that. I don't question his cash register integrity. I have no quarrel with that. I don't question his desire to serve the community. I have no quarrel with that.

I do note that once again we're seeing the replacement of a woman member of a police services board, and that's in contrast — I should indicate I have every intention of supporting Ms Van Aalst. I don't want to prejudge, but I don't think anybody on the committee is going to be in any way critical of Ms Van Aalst. But I think somebody slipped up in the process with Mr Carrick, in that he wasn't interviewed by the public appointments unit nor by a member of the minister's staff. That has to happen; otherwise, the recommendations to this committee aren't the result of a full and thorough search for potential candidates.

**Mr Preston:** This gentleman, as Mr Kormos says, fulfils all the qualifications. He's got 17 years on the board. He spoke to two persons, "girls" — which you find offensive. I've got three persons who live at my house. They're girls.

**Mr Kormos:** I hope they're under 12.

**Mr Preston:** No, they're not. They happen to be of that sex. I can't understand why there's a problem there.

**Mr Kormos:** Try calling me "boy" and find out.

**Mr Preston:** Maybe by looking over his shoulder and reading his correspondence you could tell us who the persons were he did contact, talk to. Oh, you don't know? Well, he did talk to two persons with the government.

**Mr Martin:** One of them was the secretary in the clerk's office.

**Mr Preston:** That's one. Who's the other one? I don't know either. I think this man is eminently qualified, and I'd like to call the vote.

**Mr Ford:** I have to concur with my friend here. He's served Tilbury 17 years as the mayor, 17 years on the police commission, two years Ontario Provincial Police force. Mr Kormos was sitting on his knee there for about five or 10 minutes questioning the man, and the man's committed himself to the Rotary Club, the Lions Club and any other club that's down there, community service, has a business there. Where are you going to get anybody more qualified? I can't see anybody else more qualified than that.

1110

**Mr Bartolucci:** I'm going to support the candidate, but let me tell you, he has to improve the descriptive words he uses. Being a member of a police services board highlights you in the community, and you have to be very, very careful of what you say and how you say it.

He likes to show he's a Tory, and there's nothing wrong with that, but I would suggest that it's common courtesy, when he copies a letter to a member, that he might want to copy the member who represents the riding along with the member who borders the riding. He clearly is in Mr Hoy's riding, and it might have been proper, if he was going to copy anybody, to copy the member as well the PC member.

But the guy has 17 years of experience as a police commissioner, he has 17 years of dedication to the community in the political area, so he is qualified.

Mr Preston, I have two at home and I consider them to be ladies, and I would suggest to you —

**Mr Preston:** That's a qualification of "girls." "Ladies and gentlemen."

**Mr Bartolucci:** "Women," as opposed to "girls."

**Mr Kormos:** Or "persons."

**The Chair:** Is the committee ready for the question on this concurrence?

**Mr Kormos:** A recorded vote, please.

**The Chair:** Sure.

#### Ayes

Bartolucci, Jim Brown, Doyle, Ford, Fox, Bert Johnson, Preston, Bob Wood.

#### Nays

Kormos, Martin.

**The Chair:** The concurrence is carried.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mrs Van Aalst.

**Mr Kormos:** Mr Chair, if I may, I know it's been a tough 40 years through the 1950s, through the Eisenhower era, into the 1960s, and by God the 1960s were tough in their own right, but here we are in the 1990s —

**The Chair:** Are you speaking to his motion?

**Mr Kormos:** Yes. Surely we can adjust, as adults — and noting that the committee at this point is entirely consisting of men — adjust to the realities of 1996, and that is that you don't call women "girls" any more than you call men "boys." These have inherent in them connotations which are derogatory, which are sexist, which are demeaning, which reflect an era that, thank goodness, is past, that quite frankly betray an attitude which has no place in civilized society and shouldn't have any place in this Legislative Assembly and shouldn't be a part of the language or of the culture of people, 130 of us, who are pressed with the responsibility of representing the people of our ridings and providing some leadership to this province.

The transcript of today's proceedings, if it found itself somehow into the public sphere, would reveal this committee to be something akin to a good-ol'-boy, backroom meeting somewhere down in the south —

**Mr Ed Doyle (Wentworth East):** Why did you use the word "boy" if they're grown men?

**Mr Kormos:** — with our pickup truck tailgates down and the case of Jax beer sitting there and the Mack Truck caps perched on our heads; as a bunch of good ol' boys, redneck, if you will, decide the fate of the rest of the community.



I want to very seriously put on record a serious concern about the language and about the attitude it reflects. I think it's repugnant. I think it's highly objectionable. Quite frankly, I think it's unparliamentary to refer to women as "girls" during the course of discussion or debate, either in committee or in the Legislature. I would ask you, Chair, to use your authority. We would no more refer to women as girls than we would refer to people of any number of racial groups by titles that constitute slurs and bigotry and reveal the same sort of barbaric right-wingism. I would ask the Chair to exercise its authority to control the use of that type of language. It's very sad.

**The Chair:** I appreciate that that's said in a serious way. Obviously, the Chair cannot rule on that kind of language, but Mr Kormos is tapping into something that is real out there about women being called girls. I think it's not just in the interest of the population at large that we don't do that, but in the interest of MPPs themselves — self-interest, if you want to put it on that level as well. It is not bad advice.

**Mr Preston:** There is no question about that, and I was making some remarks in jest. I do call — my girls are my girls, but I would not refer to the women who work here as "the girls." But I do find it very strange that we get that kind of rhetoric from somebody who has no respect for anything.

**Mr Bartolucci:** On a point of order, Mr Chair: That's completely out of line. Respect begets respect, and if he wants to be respected he should try showing some respect for the other member.

**Mr Preston:** This gentleman walks in and out of the chamber and doesn't acknowledge anybody or anything.

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** Can we move on with the vote?

**The Chair:** I hope we can. Are we ready for the vote on the motion? I don't want to rush you, but — you're shaking your head.

**Mr Fox:** Call the vote.

**Mr Martin:** Mr Chair, as to the comments of the member across, I can't even find a word to describe it. If that's where we're leading, if that's the kind of environment we want in this place, then continue.

*Interjection.*

**The Chair:** Order, please. We have a speaking list. Mr Brown.

**Mr Jim Brown (Scarborough West):** I'm shocked at Mr Kormos's putdown of people who wear Mack Truck hats and participate in tailgate parties. I have so many people in my riding who are just common, little folk, and he's putting them down.

**The Chair:** Okay. We've dealt with that point of order then. Can we get on with the concurrence motion?

All those in favour of Mr Wood's motion for concurrence, please indicate. Opposed? It's carried. Thank you for that.

## SUBCOMMITTEE REPORT

**The Chair:** The next item of business is the report of the subcommittee of yesterday at which there were two appointments selected.

**Mr Bert Johnson:** I don't know if this is a question or a statement, but I got a copy of the subcommittee's report. I got it at 11:05 today. It's slanted across the page and there's a smudge on it. I'm just not used to the quality of work that is demonstrated by this. I don't know how to address the concern, but I wouldn't allow it out of my office and I don't think it should be presented to me, as a permanent document, as a member of the committee.

**The Chair:** I gather there was a problem with the photocopier this morning.

**Mr Bob Wood:** There are some good copies around. I'll give you one if you lack one.

**The Chair:** There are two names selected.

**Mr Bob Wood:** I move adoption of the subcommittee report.

**The Chair:** All those in favour? Opposed? It's carried.

The only other item I want to mention is that next Thursday morning — we picked Thursday morning because cabinet meets on the Wednesday; it was Mr Wood's suggestion, I think — we'll have a subcommittee meeting by telephone between Mr Wood, Mr Crozier, Mr Martin and ourselves here at the table to talk about any scheduling. We'll know then as well the schedule of the committee for the summer. The House leaders are dealing with it again tomorrow morning. I hope that's in keeping with the wishes of the committee.

**Mr Bob Wood:** That sounds good.

**The Chair:** It sounds reasonable? And then of course we would let members of the committee know.

**Mr Bartolucci:** Do we know anything about a summer schedule?

**The Chair:** The whips met to set the schedule. Mr Martin may know more about this than I, because he was talking to the whip. We requested August 7 — I could be out a day here — and September 4, roughly, and they came back with a July date and an August date. So we're back at them again to try and get them to plug in the dates this committee had requested. They're going to be dealing with that tomorrow morning when they set all the dates for all the committees. We've put the wishes of the committee before them. At the end of the day, they'll make the decision. I see no reason they wouldn't comply with our request, but I don't know the conflicts with any other committees and so forth.

**Mr Martin:** But the travel to the north has been turned down.

**The Chair:** That's off, yes. We're not going north, but please come north anyway.

**Mr Bob Wood:** I move adjournment.

**The Chair:** Thank you, boys. It's been nice working with you this session.

*The committee adjourned at 1122.*





## CONTENTS

Wednesday 26 June 1996

<b>Intended appointments</b> .....	A-379
Paul Valentine .....	A-379
Charles Carrick .....	A-381
Linda van Aalst .....	A-386
<b>Subcommittee report</b> .....	A-390

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Laughren, Floyd (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Martin, Tony (Sault Ste Marie ND)

\*Bartolucci, Rick (Sudbury L)

\*Crozier, Bruce (Essex South / -Sud L)

\*Doyle, Ed (Wentworth East / -Est PC)

\*Ford, Douglas B. (Etobicoke-Humber PC)

\*Fox, Gary (Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud PC)

    Gravelle, Michael (Port Arthur L)

\*Johnson, Bert (Perth PC)

\*Kormos, Peter (Welland-Thorold ND)

\*Laughren, Floyd (Nickel Belt ND)

    Leadston, Gary L. (Kitchener-Wilmot PC)

\*Martin, Tony (Sault Ste Marie ND)

    Newman, Dan (Scarborough Centre / -Centre PC)

\*Preston, Peter L. (Brant-Haldimand PC)

\*Wood, Bob (London South / -Sud PC)

*\*In attendance / présents*

### **Substitutions present / Membres remplaçants présents:**

Duncan, Dwight (Windsor-Walkerville L) for Mr Gravelle

Brown, Jim (Scarborough West / -Ouest PC) for Mr Leadston

**Clerk / Greffière:** Tannis Manikel

**Staff / Personnel:** David Pond, research officer, Legislative Research Service

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Continued  
Publication



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A-24

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 17 July 1996

# Journal des débats (Hansard)

Mercredi 17 juillet 1996

Standing committee on  
government agencies



Comité permanent des  
organismes gouvernementaux

Intended appointments

Nominations prévues

Chair: Floyd Laughren  
Clerk: Tannis Manikel

Président : Floyd Laughren  
Greffière : Tannis Manikel



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 17 July 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 17 juillet 1996

*The committee met at 1004 in room 151.*

## INTENDED APPOINTMENTS

## GLEN WRIGHT

Review of intended appointment, selected by third party: Glen Wright, intended appointee as chair, Workers' Compensation Board.

**The Vice-Chair (Mr Tony Martin):** Could I have the attention of the committee? As Chair, I'd like to welcome you all to today's proceedings, hoping that you're having a good summer, as I am, and looking forward to further nice days ahead.

This morning we have two appointments to consider, one for an hour and the second for a half-hour. The first will be the intended appointment of Mr Glen Wright to the Workers' Compensation Board. This was a selection of the New Democrat caucus. Would Mr Wright come to the table? Thanks for coming this morning.

While Mr Wright is making himself comfortable, I would entertain a motion from the floor re the adoption of the subcommittee report on business transacted on Thursday, July 4.

**Mr Bruce Smith (Middlesex):** I move adoption of the subcommittee report.

**The Vice-Chair:** Any questions or comments? If not, all those in favour, please raise their hand. The report is adopted.

We'll move on with the interview of Mr Wright. Mr Wright, do you want to make an opening statement to the committee?

**Mr Glen Wright:** No, not really. I'm just pleased to be here and look forward to answering your questions.

**The Vice-Chair:** Then what we will do this morning is two rounds of 10 minutes each. That will give us the full hour. We traditionally start with the government caucus. I don't see any reason to break with that today, so we'll start with Mr Ford.

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Mr Wright, and welcome. This question I have is basic. What is the single biggest issue facing the Workers' Compensation Board over the next two years?

**Mr Wright:** In my opinion, there are two key issues. One is the issue that's been written about quite a bit, which is the financial concerns, unfunded liabilities and the capacity to maintain the system.

I'd say the second key issue is also the performance and the element of service, that through both anecdotal and published accounts there is a feeling that the organization is not as responsive to the people it should be helping as it should be, so the efficiency. I think it's pretty key that the organization is there to service and to

take care of people who have been injured in the workplace, and it should function more efficiently and should make sure that the experience is an appropriate experience and that people get the appropriate care.

I'd say it's twofold, in my opinion. From my private sector background in the insurance business, cost is one thing, but ultimately the organization exists to deliver the service and to take care of the people who require the service. So it's twofold. It has to be balanced on the financial side, but it has to improve its delivery and performance on behalf of the injured workers.

**Mr Douglas B. Ford:** Thank you very much, sir.

**Mr Smith:** Welcome to the committee this morning, Mr Wright. As you're aware, the Carr-Gordon report recently identified the Workers' Compensation Board as the number one issue for business in the province. I'd be interested to find out what your thoughts are on the findings of the report, and perhaps you could share those with the committee this morning.

**Mr Wright:** I haven't had an opportunity to read the entire report, but it's my understanding that it comes out of the survey that went out to a large number of businesses and asked what are the deterrents or what are the problems they have in doing business here. It is no surprise to me that it comes up as the number one concern. I think it probably would come up very high on the workers' side of the issue as well.

The system is perceived as being very complex. It's one that doesn't seem to come to a conclusion very easily. It's frustrating. If you talk to injured workers or you talk to people who are in corporations that deal regularly with the board, there's a high degree of frustration.

I suspect by the nature of its function that it's not an organization that's likely to have everybody happy with it at any given time. It's an organization, when you're processing claims and making judgements on those issues, where people are not always going to be happy with the results. But I do think that by being more efficient in their operations — anecdotally, I had a letter come across my desk as a result of the announcement last week. The individual was saying that they had phoned just to ask for some information about requirements on hiring somebody and had been on the phone for an hour and still had yet to speak to anybody who was in the correct department: extremely high-level frustration. I don't think that's necessary.

It's a large organization, and no matter what large organization you call, whether it's private sector or public sector, there are some bureaucratic aspects to it. But I think the frustration is compounded not just by decisions they make, but by the process through which people have



to go. I don't think a lot of people who have had to go through the application process and the adjudication process come away feeling very good about it. Even those who are successful in getting their awards often feel the system is difficult. On the other hand, I think employers feel frustrated in their dealings with it.

It doesn't surprise me, and I would hope it is possible for the organization to be more responsive and to improve that image, fully recognizing that because of the nature of the work of the Workers' Compensation Board, it's likely to be difficult to please everybody in the long haul, but I think a more efficient and more focused organization could go a long way to helping dispel that.

1010

**Mr John L. Parker (York East):** Mr Wright, we have a few minutes available to us this morning, so I'd like to take some time to delve into one question and give you a chance to give a full answer to this.

The workers' compensation commission is a very large, complex, comprehensive organization and it represents a number of interests and must accommodate those different interests and achieve certain goals. You are being appointed to the commission itself, to the job of chairman of the Workers' Compensation Board. Can you just share with us your thoughts and your vision as to the specific role of the chairman of the Workers' Compensation Board?

**Mr Wright:** Looking at the board itself versus just the chair's role, the chair, in my view, in the governance model that's being proposed, organizes and facilitates the functions of the board and the board of directors clearly makes the decisions on an ongoing basis. However, there's a lot to be done. There's a lot of pending legislation, the Jackson report and other things. The task of the board will be to implement the government's policy and the legislation as it flows out of that.

On the other side, when you step away from the policy side of things, I think one of the key functions of the board and the chair is to provide the strategic direction, not day-to-day management as it's a non-executive board. The senior executive and the CEO of the corporation is Mike O'Keefe, and it's his responsibility to manage the place on a day-to-day basis. However, it is the board's responsibility to provide vision and direction on strategic issues and strategic direction. I think that providing that direction and providing the follow-up and accountability is important. Obviously there's got to be a review and some efforts taken on the operations side to improve the performance of the organization, and then there's the challenge of implementing the new legislation as it comes down.

Then we have the other part, which is the perception or the responsibility to represent interests, as you mentioned in the early part of your question. I think that's a significant challenge, because there's the obvious interest of the employers who pay the premium and there's the obvious interest of the workers who are protected by the system, but the workers' comp is such a large and important aspect to our community and our province that there's a broader public interest as well. The better it's run, the more effective it is and the more efficient it is. It's a contributor to the competitive position of our

industries, it's a contributor or could be a negative factor on our ability to create jobs in the province. It's not the only one, but it has a role to play.

In thinking about it, I think one of the interesting things about my background is that I have not been in the manufacturing sector or the labour sector as such, although I've provided advice to both over the years. My expertise lies in managing benefits programs and pensions and those sorts of issues. I think there is a situation here where there is a broad interest that needs to be served as well as the specific interest, in being responsive to the requirements of people who are under the care of or receiving compensation from the board as well as being mindful of the financial side.

It's a balancing act and it's going to take a substantial effort, but I think that improved efficiency and improved management of the place will bring benefits to everybody, to the province at large, and I would think most specifically to a focus that says the people who are injured workers are our principal responsibility, they're the people who are — if you were to put it in a private sector type of context, you'd say the way for businesses to be successful in the 1990s is to be very focused on delivering results for their clientele. The clientele of the WCB are injured workers, and ultimately the quality and judgement of how the WCB performs I believe will be the results they produce in helping people get back to work and providing them with the care, treatment and compensation requirements that are needed.

**The Vice-Chair:** We're going to move on to the Liberal caucus now. You will have another 10 minutes once we go around again.

**Mr Rick Bartolucci (Sudbury):** Good morning and welcome, Mr Wright. I think in your answer you said one of the roles of the new chair would be to try to develop a greater sense of communication and sharing through the stakeholders. Can you give us some background material with regard to your involvement with labour organizations or your interactions with labour organizations over the course of the last several years?

**Mr Wright:** I have not had specific membership or anything with a labour organization. Through our actuarial practice and benefits practice, we've provided advice and worked with a number of different organized labour groups to assist them with those issues. Also, through my primary business, we've acted as consultants to management.

On a broader basis of my personal experience, I've been quite active outside the firm as well through having served for a period of time in the early 1980s on Waterloo city council and regional council. I've served at the board of the CBC for four years. I chaired the human resources division there and there were a lot of issues of funding. As anybody who reads the papers and cares about broadcasting in the country knows, it's been a very difficult time there.

Through other organizations and through community groups and stuff I've had a pretty broad exposure. I spent 10 years on the board of Wilfrid Laurier University, and the makeup of a university board is from a very diverse group across the community. So I've had a lot of exposure to different organizations and different people and I



think it has given me a pretty broad perspective of life in Ontario whether it's in the private sector or public sector organizations.

**Mr Bartolucci:** What's the annual remuneration for the chair of the Workers' Compensation Board?

**Mr Wright:** I believe it's set at \$105,000.

**Mr Bartolucci:** It's \$105,000 a year. You mentioned earlier in an answer to Mr Parker that one of the concerns you have is with financial responsibility to the WCB. How are you going to restore financial responsibility to the WCB?

**Mr Wright:** That's a bit difficult for me to answer in very specific terms because I haven't been there and I haven't started the job. It might be easier in three months for me to answer that. I think that some examination of internal operations has to take place.

There are two general areas of cost involved. One is the aspect of risk management and the actual claims cost; the other is how you operate the organization. In general terms, from the pieces I have read, which are not extensive, I understand that's somewhere in the area of \$300 million a year. When you're dealing with some \$2 billion of total cost, it would seem that, so to speak, the elephant in the living room is the \$2 billion that's spent on claims, but I think you have to take a very close look at the \$300 million. Those are controllable dollars. I think that has to be looked at very closely and the board has to take serious responsibility for that.

The claims side is something that is regulated to some extent. The risk aspect of what's there and available is a legislative thing so it's somewhat out of the purview of the board. But fast and effective and appropriate adjudication and cleaning up internal systems I think will go a long way to helping start to return that.

Some of the other broader issues: If you look at the unfunded liability issue, while there's a contributing aspect to the operating cost, the long-term situation is driven more by claims cost, which is affected more by the types of things that are in the Jackson report and will be ultimately dealt with by the Legislature.

1020

**Mr Dwight Duncan (Windsor-Walkerville):** Do you see the unfunded liability as a debt?

**Mr Wright:** It's a form of debt. I'd say in a lot of respects it's a very large road sign that says you can get by today, you might get by tomorrow, but you don't have enough money to meet your obligations, and in that context it's a debt.

If you were to use another example, to put it in context, I know there's always controversy over: Is an unfunded liability a debt or is an unfunded liability a serious problem? To look at two issues, if you go back to ordinary pensions for a moment — that's typically where you will achieve unfunded liabilities — we have very strict laws that have been passed here in the province of Ontario to protect workers that say you cannot have an unfunded liability in a pension plan in Ontario without having in place a plan that says how you will retire it over a specific number of years. There are solvency tests.

**Mr Duncan:** Can I just ask another question?

**Mr Wright:** Certainly.

**Mr Duncan:** To be more focused on it then, would you see it as a problem or as a crisis?

**Mr Wright:** I believe it's approaching crisis, yes; I think if no action is taken, you've got a problem.

**Mr Duncan:** Would you then think it wise to cut WCB assessments by 5%?

**Mr Wright:** You've got a balancing issue here which is that you have to meet the objectives of the stakeholders and at the same time try to provide financial strength.

**Mr Duncan:** Just back to the question then: Would you see a 5% cut in assessments right now as being a wise move, given that you've identified the unfunded liability as a crisis?

**Mr Wright:** The issue is the bottom line of where you end up on the unfunded liability. There are many components that go into that: what's insured, what costs are retained and —

**Mr Duncan:** Then you would support cutting benefits to injured workers in favour of cutting assessments for employers?

**Mr Wright:** There are other issues around the level of benefits. As an example, I haven't got the inside expertise on WCB to deal with some of the specifics in the Jackson report, but in a broad-based situation, as a general principle of insuring aspects, depending on the level of payment, it can affect the return to work and other issues. If you were to take the other extreme, the private sector side of long-term disability insurance and other programs that insure people for lost income, those sorts of programs would typically run in the 60% to 70% range. There are some issues around taxable or non-taxable —

**Mr Duncan:** That's an interesting point. You've raised two issues: the level of coverage of business in Ontario around WCB and then the percentage of current claims covered. In Ontario it is much lower than in most other jurisdictions. Would you not say a more reasonable target, rather than simply cutting benefits to injured workers, might be to get the current claims coverage figure higher? That is how other industry groups —

**Mr Wright:** I'm sorry, what do you mean by claims coverage?

**Mr Duncan:** The percentage of current claims that is covered by assessments in any given year. The Workers' Compensation Board, I think, is around 37% or 38% the last time I looked. The business community has argued to keep that number down and reduce it. In fact, it's come down from about 50% some 10 years ago to where it's at today. Would you advocate that a greater percentage of current claims ought to be covered by assessments? How would you rationalize that or logically make it work with a 5% cut in assessments?

**Mr Wright:** I'm having some difficulty, whether it's the language or the description of claims costs that you're using.

**Mr Duncan:** Current claims covered. This is in the Jackson report. I'm sure you've read that.

**Mr Wright:** I have read it, but I haven't had an opportunity to study it in depth.

**Mr Duncan:** I think you ought to have a look at that because there are a lot of interesting things in it that I



would think the chair of the board would have looked at prior to coming to a hearing like this.

**Mr Wright:** I've read the report, but —

**Mr Duncan:** It is in there and it's raised in some detail. It's in the annual reports, the last five annual reports. Current claims covered represents the percentage of current claims covered by current assessments, which we can relate to other forms of insurance. I know you have a lot of background in that area.

Again to the question: Given the fact that current claims covered have fallen from roughly 50% to 37% in 10 years, do you think it's prudent to cut assessments 5% and cut benefits to injured workers at the same time, given that current claims covered are so much reduced over 10 years ago?

**Mr Wright:** First of all, as I understand the Jackson report, the reduction in payments only applies prospectively to new applicants.

**Mr Duncan:** I want to deal, though, with the current claims covered. It's in the Jackson report. The numbers are there; it's quite clear; it's well laid out. Is it your view that the percentage of current claims covered by current assessments is adequate, and should it be raised?

**Mr Wright:** You say as the chair. I'm not the chair yet and I haven't even been in the building. I haven't had a chance to examine that document and that kind of thing and I would have to take a look specifically at the number of —

**Mr Duncan:** You were outside the building on May 15, 1995, weren't you, with Mr Harris, during the campaign swing?

**Mr Wright:** Yes, as a matter of fact, I was.

**Mr Duncan:** The day he announced you would end political appointments to the WCB. You've been outside the building for a photo opportunity. You're telling us now, as a prospective chair of the board, you haven't read the Jackson report?

**Mr Wright:** I didn't say I hadn't read it. I said I'd read it but I don't —

**Mr Duncan:** And you're not prepared to comment on a major tenet of the Jackson report?

**Mr Wright:** The specific numbers you're referring to, I can't deal with, but if you wanted to show me the contents —

**Mr Duncan:** They're in the report. I think they're on page 14 or 15. I don't remember the report. I would —

**The Vice-Chair:** Mr Duncan, we're going to have to move on.

**Mr Duncan:** Oh, I'm sorry. Good luck.

**The Vice-Chair:** You'll get another 10 minutes in about 20 minutes. We'll move to the New Democrat caucus and Mr Silipo.

**Mr Tony Silipo (Dovercourt):** Mr Wright, I want to start by going back to the beginning, I guess, as I see it. You come to this table having been appointed by cabinet on the recommendation of the Premier of the province, that same Premier of the province who did very clearly say during the election that there would be no more political appointments to the WCB.

I've heard various reports about your involvement in the campaign. I assume, given your involvement in the

Mike Harris campaign, you are a member of the Conservative Party and I would like you, for the record, to just confirm or clarify that, and secondly explain, please, to the committee what your role was during the recent provincial election campaign.

**Mr Wright:** Yes, I am a member of the Conservative Party and have been for a period of time. My role in the election campaign was to assist in managing the tour.

**Mr Silipo:** I gather you're also a close friend of Mr Harris. That's the case?

**Mr Wright:** Yes, Mr Harris and I are friends.

**Mr Silipo:** Going into this particular job, which I would have to say, and please feel free to agree or disagree, is both one of the most difficult as well as one of the most important jobs in the province in terms of the appointments a government gets to make. Doesn't it give you any hesitation to go into a job, particularly this job, in a situation in which you are going in completely contradictory to what the person who's appointing you to this job said he would do, that he would not put his friends on these boards, that he would not put political appointees to these boards? How does that make you feel, going into this position?

**Mr Wright:** I'd like to differentiate to some extent on it. I think the issue here is one of competence and background. There's no doubt — I tell you freely — that Mr Harris and I are friends. I rather suspect if Mr Harris and I weren't friends, I would be somewhat less interested in taking on this challenge. It happens that my background is pretty well-suited for this job.

The basic premise that has been applied to the policy, as I understand it from the Conservative Party and the election campaign, is to cease to put people on the board simply for political reasons, which has been a practice occasionally in the past, and to put people on who have qualified. One of the specific qualifications they spoke to in those days was people with insurance background and private sector experience in managing these types of organizations. My résumé, I believe, if you look at my experience — whether or not I'm a Conservative or a Liberal or NDP, my experience and background I think demonstrate well enough that I have skills in these areas. I don't suppose it should preclude me because I've been politically active. It doesn't mean I'm not qualified for the job.

It's a tough job. It's not something I would step forward to take without a lot of serious thought because it will impact my personal life and my business life for a period of time, but I also think it's something that needs to be dealt with. It's one thing to promote change and to criticize things; it's another thing to go forward and do some of the work.

**Mr Silipo:** Mr Wright, let me just, for the record, be clear: I am not for a minute suggesting that by virtue of your being a member of the Conservative Party you shouldn't be eligible to be appointed to this board or any other board, but I'm simply juxtaposing that against the very clear statement that is now being contradicted that was made by Mike Harris, who is appointing you to this board. He's the one who set the ground rules, not me, on this and he has clearly contradicted that.



Let's talk a little bit about your background because I'm very interested in what you bring to the board in terms of your background and your skills and your current work in terms of your consulting firm. This position will pay \$105,000, as has already been noted. Are you going to be doing the job on a full-time basis?

**Mr Wright:** By and large it will be in that range, yes. It's a bit hard to be entirely sure what it's going to require. My understanding is that the — and I haven't been into it in a lot of detail. My expectation personally is that I'll have to spend a lot of time there. What's full-time, 40 or 50 hours a week? I suspect it will take that kind of effort.

1030

**Mr Silipo:** What is your relationship going to be with your consulting firm? Are you going to sever that tie?

**Mr Wright:** Sever the tie — there are two aspects to my relationship with my consulting practice. One is ownership; I have a substantial ownership position in the firm. The second would be one of officer's duties or management duties. We have a president who manages the company on a regular basis. One of the advantages of having had a fairly successful business is that I am able to go and do this and still have my business survive and be under good leadership.

**Mr Silipo:** This is an area where I have some major concerns because while I agree with you that bringing the kind of background and expertise that you bring may be helpful to the board, I also worry about the potential conflict of interest and I want you to talk to us about how you see that whole area and whether in fact you see a problem.

My understanding is that section 60 of the legislation says that the WCB chair "shall not directly or indirectly, "(a) have, purchase, take or become interested in any industry to which this part applies" — that is the compensation act — and shall not directly or indirectly,

"(b) be the holder of shares, bonds, debentures or other securities of any company that carries on the business of employers' liability or accident insurance."

Given your position as somebody who works in the insurance field, how are you going to reconcile that seeming contradiction and potential conflict?

**Mr Wright:** There is no conflict. I don't own any shares and I don't have any participation in anything that's in conflict with the workers' comp. None of our practice, in 16 years, has ever dealt with issues related to workers' comp. The only type of disability programs or anything we've ever been involved in is non-occupational, things that workers' comp does not deal with, so I've never dealt with employers' liability-disability issues. In fact in many respects, coming from the consulting side, a lot of our practice involves providing advice to employers and others as they deal with the insurance industry.

We're not owned by an insurance company, nor do I own anything involving any insurance company. I've consulted and had people take a look at my stuff and I've been told that I have no conflicts. Certainly on an ongoing basis I can't envision — my company's prepared to undertake that there will be no commercial relationship between ourselves and the compensation board. It's never

been part of our practice. It's not something we've ever participated in. I don't see any conflict there.

**Mr Silipo:** You don't see that in fact there is a potential for that happening, whether it's through your own consulting firm or indeed any of the other companies you've been associated with. The reason I raise that particularly is that, as you know, one of the directions that's come out of the Jackson report is that for the first six weeks of an injury the employer will now be directly responsible for paying or covering the employee. I think the presumption there is that in fact many employers will get private insurance coverage, which certainly, from where I sit, is simply the beginnings of the privatization of the workers' compensation system. I want to talk about that broader issue as well, either now or later if we have time, if we don't have time now.

I want to first of all just ask you again about the seeming conflict — and I don't mean necessarily in a personal way in terms of any personal gain that you might make — of putting as the chair of the board someone who very clearly has positions and has had positions in the insurance industry at a time when in fact the government is also clearly moving, as I would argue in this area, towards the beginnings of privatization of the system with the insurance companies, I would argue, playing a big role in that.

**Mr Wright:** There are quite a few issues in there. I have no conflict. I've had no relationship nor sat on the board of any of the insurance companies that potentially would be in the business. From a consulting perspective, I suppose that if those sorts of things were done, firms similar to mine would be asked to help establish financing principles or actuarially sound principles on which to fund those kinds of issues, if they were self-insured and those sorts of things.

At the risk of upsetting people in the private insurance industry, in the first six weeks I haven't had a chance to study that in depth. I understand it's in the Jackson report. Fundamentally, there are some things I'm concerned about in terms of proper return to work and rehabilitation and claims management. One of the principles that is at work is early intervention, and I'm a little concerned about some issues that surround that, that it might be better to have — if you have different people dealing with different parts of the program, so the first six weeks is the employer, the next piece is the WCB. I'm concerned that there will be a continuity problem.

If I was to give you my advice as an insurance person who's been involved in these programs, I'd like the opportunity — I believe that section suggests it would be referred to the WCB for examination and a report back in January 1998. I look forward to getting more information on it. You're suggesting I might have a conflict. I'm not sure that I would agree necessarily —

**Mr Silipo:** You might have some of your friends in the insurance industry upset at you, you're saying?

**Mr Wright:** I think it may be a surprise to you to find out that my natural position on it might not be to support that, that I'd want to look at it very closely. There are merits associated with it and there's a lot of issues around this, but the ability to provide service and continuity in things, there's issues there that have to be looked at. I



don't have enough information to give you a full opinion on it, but I only cite that to give you an example. My role for the last 20 years has been essentially providing advice on these issues. I don't own an insurance company and I wouldn't benefit from that.

To put it on the table, you talk about privatization and things, the management of disability, rehabilitation, return to work and satisfactorily treating people has become very complex, and the private sector is struggling with it as well. The workers' comp board is not the only one having trouble dealing with these issues. Everybody who's touching any form of disability management issues is having troubling wrestling with it and they're trying to find new and innovative ways to try to make these things better.

**The Vice-Chair:** Mr Wright, we're going to have to move on to the next caucus.

**Mr Wright:** I was just getting warmed up.

**The Vice-Chair:** You'll have another chance to come back to that, I'm sure. The government caucus and Mrs Ecker.

**Mrs Janet Ecker (Durham West):** Thank you very much, Mr Wright, for coming to answer our questions today.

You made an interesting point earlier. You were sort of highlighting the clientele, that one of the things the board has to do is pay attention to its clientele, the clientele being the workers. Any thoughts or any suggestions about how you see the board representing the interests of working men and women out there, how you ensure that is represented at the board level, that particular interest, in the discussions and the decisions and the strategic direction that the board may well take?

**Mr Wright:** I think that's a very interesting problem. As you're probably aware, the initial round of appointments to the board would be the suggested appointments. There's myself and three other members plus Mr O'Keefe. There is a member, as I understand — I haven't yet met with any of those individuals, but I'm very pleased at the mix of background that comes from that appointment. There's an individual with a very strong labour background. There's an individual with a very strong health and safety background who is now with the U of T, Mr Stewart. And we have somebody with a very strong financial background, Eileen Mercier.

I would say if you take a look at it, the responsibility for investing and managing a \$6 billion to \$7 billion fund that's there to help offset the future liabilities, there's big financial responsibilities, there's the understanding of different things. I think, considering it's only going to start out at five — I assume there will be some additions later on — there's a pretty decent group there to start with.

I think the other avenues that are available are advisory consultations, and obviously we need input from a broader range. One person from labour or one person from management respectively cannot do justice to all the views that are out there. I'm not too sure a roomful of people would do justice to all the views that exist on the workers' comp board, but consultation in the form of advisory groups will be what the board looks at pretty quickly.

**Mr John R. Baird (Nepean):** Thank you very much, Mr Wright, for travelling to Toronto to meet with us. My colleague opposite, the member for Windsor-Walkerville, spoke about the Jackson report. You mentioned that you had read it. I want to get your views. Do you see it as the role of the board of directors at the WCB to legislate new laws outside of the WCB, or do you see rather that those responsibilities rest with elected officials with respect to, for example, many of the measures contained in the Jackson report?

1040

Obviously it's important to get on the record that those decisions are more properly made by legislators, people who are elected and accountable to the voters who elected them, and not by an unelected board. Could I get your thoughts on that?

**Mr Wright:** Very clearly that's my understanding of the responsibilities of the board of directors. The board of directors is there to live within the laws of the province and to implement the legislation as it exists. It's very clear in my mind that that's what is there.

I suppose that the board's existence in a supplementary sense would be to provide information and resources or whatever — claims costs and other issues that come up — to the Legislature as required, but essentially I see our responsibility, our governance responsibility, is to effectively steward the resources on the operation side and manage the adjudication and implementation of the program as the Legislature sees fit to make it.

**Mr Baird:** I also want to discuss the unfunded liability. Obviously today it's a real problem for the board and poses a real crisis in the years ahead for future benefits to be paid to injured workers. Why do you suppose the Ontario Legislature would enact a law that would say to private sector companies, "You can't operate with an unfunded liability"? Why do you suppose the provincial government would make laws like that?

**Mr Wright:** I assume you're referring to the unfunded liability issue on a pension plan.

**Mr Baird:** Sure, exactly.

**Mr Wright:** We have very stringent laws on those issues, and it's my understanding — I assume that the motivation, when they were originally passed, was to protect members of those pension plans for future payments. If a company goes out of business or whatever — we've had instances where corporations have gone out of business with unfunded liabilities on the books and it's been very damaging to the members of those plans — I think it's there to protect the membership; it's there to protect the fact that you have to have a reasonable funding level to guarantee your ability to deliver on your promises.

**Mr Baird:** In your experience in terms of advising clients from both the management and labour sides on health plans, on funds — when I read your résumé, you've got a terrific amount of experience in this regard — do you think that in the public sector, for the WCB, it would be radically different, in terms of the law of economics being radically different in the WCB, in terms of other private sector corporations, where this Legislature and others have passed laws requiring a



degree of solvency and refusing to allow an unfunded liability?

**Mr Wright:** The only organization that could get away with that type of funding would be a publicly owned one, or a public institution. The insurance industry on disability management is required to hold actuarial reserves against disability payments. If a 30- or 35-year-old is permanently disabled, on their balance sheet, their actuarial statements, they would have to hold a reserve that could approach \$700,000 or \$800,000 for one individual, but they're required to hold those reserves and prove that they can meet their obligations. Those things are very standard; we hold people to those sorts of tests.

If you go the other direction on the funding and say, "It doesn't matter; we can live out of current revenues," you start to approach the type of issue that's facing us with the CPP. There's a lot of concern these days about the capacity of the Canada pension plan to continue to function properly. So if you prolong it and allow it to get out of control — whether it should be 90% funded, 100% funded, one could make an argument around whether it's 90% or 110% that you should hold as a reserve, but I would say that at 40% we're way behind the others. I think it's 40% funded.

**Mr Duncan:** It's 37%.

**Mr Wright:** Okay, now that we're on the right number I understand your question from before.

The 37% unfunded — we're only 37% covered. That's too far behind. The other provinces have moved to try to correct it. But it's really only in the public sector. You go to other aspects of public sector life where these have become issues: School boards and retirement gratuities through the sick day programs have been issues for years. People have argued that they should be funded because there are huge, accumulated liabilities that have never been recognized on the books, so there will be a debate around it. On both sides of the issue it tends to get convenient occasionally, when an unfunded liability is important and when it isn't. But as a person who has worked in this industry for 20 years, I'd say I can't see a circumstance under which an unfunded liability makes sense.

**Mr Baird:** It's interesting to note that we wouldn't allow a private sector company to treat the beneficiaries — the injured workers, the pensioners — with one set of rules, yet when we govern ourselves in-house we do it in a radically different way. I think that's why it's been a significant issue with respect to WCB policy in dealing with the unfunded liability.

Another area I want to raise with you and get your thoughts on is client service. This is something that for each member from all parties is an issue we're confronted with almost on a daily basis. I separate your background in terms of service to your own clients at your firm with over 60 employees in two ways — one for injured workers.

I talk to workers on a daily basis about delays and backups at the board. Delays and backups happen to us all in our daily lives, but it's probably worse for people who are under a significant amount of stress due to a major and significant health problem.

Some members in the Legislature from all parties have one staff member who deals exclusively with WCB caseload. I find that absolutely extraordinary, because in the case work that I do across many ministries I'm being called upon to deal with major problems, where people have had major problems in dealings with a public body or institution. For some members, from all parties again, to have one person dealing specifically with WCB, that says to me there's a major client service problem.

What activities in your background and views do you have in terms of returning a greater degree of priority towards client servicing? The whole purpose of the WCB is to provide a reliable insurance plan for injured workers in the province.

**Mr Wright:** As I said earlier, if one were to describe success criteria for the WCB — set aside the financial thing; it's obvious you have to fund the thing correctly — if you were to establish success criteria, they would say that injured workers who deal with this organization say that it works well. That's what it exists for. It doesn't exist to fill a building, it doesn't exist to help promote real estate prices in Toronto, it doesn't exist for any of those other reasons; it exists to provide services to employees and workers who have been injured.

If you take the example in the insurance industry where they've had similar problems, where for instance in drug claims and things you have inquiries, and the technology has changed dramatically over the last five years on your capacity to deal with inquiries and people and track calls, there's no excuse for somebody being an hour on the telephone and not being able to identify whom they should speak with. In this day and age that does not exist. I suspect that part of it is a cultural issue in terms of corporate cultures. We're the only ones in the game. If I don't take your call, you have to call back. I think that can be changed, but it's going to be a cultural change at the institution, it may be technology or it may be attitude. When I say "cultural," it's an attitude thing.

Other organizations have had to do it, because now in an insurance company environment if you are a long-term-disability claimant you phone in to a set of phone numbers and you get somebody within a moment who has your file on the computer in front of them, they understand why you're calling and they're there to service you. That doesn't mean the Workers' Compensation Board's responsibility is to say yes to every claim. Sometimes they might do somebody a favour if they said no meant no.

1050

**The Vice-Chair:** We're going to have to move on to the Liberal caucus.

**Mr Duncan:** I want to come back again to the unfunded liability and I want to come back to what we were talking about, because I think after John asked you some questions you got what I was getting at: 37% of current claims today are covered by current assessments.

**Mr Wright:** Yes, the existing liabilities are 40% coverage.

**Mr Duncan:** Yes, I understand that. If I can go on, the government has just cut benefits to injured workers by roughly 6%. The previous government had deindexed benefits to workers. Your government, the government



that's appointing you, the government that you campaigned for, is now suggesting that it wants to cut assessments by 5%. Do you think, given what you've said about the unfunded liability and about the need to deal with what the government has called a "crisis," that it would be prudent at this time to cut assessments overall by 5%?

**Mr Wright:** What is prudent is to have the final results reflect the proper direction. It's a complex issue; it's not just assessment rates. One could argue that if assessment rates are unimportant, then why not just increase them by \$2? Double the assessment rates and we'll solve the problem really quickly.

**Mr Duncan:** If I can, are assessment rates more important than benefits to injured workers?

**Mr Wright:** I think it's a balancing act. If you have assessment rates that are hugely uncompetitive and nobody's working, I suppose then it becomes a moot point.

**Mr Duncan:** When average lifetime pensions are less than 15% and this government has just cut benefits by 6% to injured workers on temporary benefits do you think there's balance?

**Mr Wright:** I understand that the cuts would be coming on future claimants.

**Mr Duncan:** In response to Mr Baird's question about government legislation, listen, I remember when we were in office — and I know those were 10 lost years, so maybe I shouldn't refer to them —

**Mr Silipo:** You were only responsible for five of those.

**Mr Duncan:** — and since the darkness has again descended — we were often advised by the chair of the Workers' Compensation Board, Dr Elgie — you'll know that Dr Elgie, of course, was appointed in 1985 and served I think with distinction. He often advised the government on policy and where the government should be going with policy.

Back to your comments, do you not think the chair of the board should be providing advice to the Minister of Labour and should have positions on issues around the unfunded liability, around benefits to injured workers, around proper assessment rates? Don't you think it's a copout to somehow suggest that simply the government should introduce legislation, or do you think the government shouldn't listen to the board and just do what it says without consultation?

**Mr Wright:** I anticipate that when the board exists and is functioning, the government would naturally consult with it. I have not been the chairman, I still am not in office as the chair and the board is not there now. I can't speak for the minister. I assume there's been consultation with the current structure over there on these issues and I would assume Mr Jackson has been consulting.

**Mr Duncan:** I understood you were responding to Mr Baird that you didn't think the chair of the board should be advising.

**Mr Wright:** No, what I said was it's not —

**Mr Duncan:** See, I think it's important to know what your views are on these issues. You are going to be very influential in a very important debate —

**Mrs Ecker:** Then you might want to let him answer the question.

**Mr Duncan:** He'll have lots of time. You people don't listen to the people in the audience, so he'll have lots of time to answer the questions to you. I guess my concern is, what is your view? The Premier said that you would end political appointments to the WCB's board. That's what you said. You were there that day, and here you are. Do you think the Premier should break his other commitment about the 5% cut in assessments, or do you think he should keep it?

**Mr Wright:** I would assume that the Premier should keep his — do what he wants to do. Those issues are the Legislature's issues. If asked for advice on it, at the appropriate time in office at the board I will provide the best advice I can to the government.

**Mr Duncan:** Then he should keep his commitment on the 5% assessment cut, keep his commitment to cut benefits to injured workers, but he shouldn't keep his commitment about patronage appointments to the board?

**Mr Wright:** I don't know what one would consider to be the definition of a patronage appointment. The interesting —

**Mr Duncan:** Please don't take it the wrong way. I have no qualms about appointing people with political affiliations. We appointed Dr Elgie, who was a sitting Conservative member, to the board. But on May 15, the Premier, in front of the WCB office, said, "...an end to political appointments on the WCB's board," and you were on the bus that day.

**Mr Wright:** Yes.

**Mr Duncan:** I guess you helped organize the trip. Just to wrap, do you think you'd have the appointment if you weren't a close friend of the Premier's?

**Mr Wright:** I can't answer that in the sense that I didn't make the decision. What I can say, though, is that the hearing and this morning's discussion is to deal with my qualifications to do the job. I will put my qualifications forward to match anybody's on the capacity to go and deal with this in the context in which it's been put forward.

**Mr Duncan:** I agree with that. The problem I have is I asked substantive questions and you kept saying, "Well, I don't know; I haven't read that; I haven't studied that; I'm not the chair yet."

**Mr Wright:** Some of those questions it would be much easier for me to deal with in three to six months. I've read some of the material that's been available. I haven't had a chance to study it; I haven't had a chance to ask questions on some of it. It would not be prudent of me to make wild statements when I haven't had a chance to do the homework.

**Mr Duncan:** To come back to it, though, the Premier made the six points on the WCB. The points were very clear. Do you continue to endorse the six-point plan on WCB reform that the government espoused during the election?

**Mr Wright:** The fact that I support the government's position on WCB? Yes.

**Mr Duncan:** Yes, you do.

**Mr Wright:** Yes.



**Mr Duncan:** So do you continue to support the position that political appointments at the board should end?

**Mr Wright:** And that people with qualifications and experience in the insurance industry should be appointed to the board to help correct the problem.

**Mr Duncan:** Was that in the six-point document?

**Mr Wright:** I believe there was reference there to returning it to an insurance-oriented basis and properly functioning with qualified people.

**Mr Baird:** Insurance industry executives.

**Mr Wright:** Yes. I think you'll find that's in there and it's very consistent with that.

**Mr Duncan:** So you believe then that you can make an exception where there's experience — is there any exception to cutting benefits to injured workers? How about a case where an injured worker is living below the poverty line on a lifetime pension?

**Mr Wright:** I don't have direct knowledge of those. It would be difficult to answer that question.

**Mr Bartolucci:** Just in summary, because there are lots of questions that he can't answer, maybe these are a few that he can answer. Have you ever raised money for the Progressive Conservatives?

**Mr Wright:** Probably, yes.

**Mr Bartolucci:** How much over the course of the last three years?

**Mr Wright:** The last three years, probably none.

**Mr Bartolucci:** How about any candidates in particular? The Minister of Labour, have you raised money for her?

**Mrs Ecker:** How much have you raised for the leadership campaign there, Mr Chairman?

*Interjections.*

**Mr Bartolucci:** You see, we're working at it, Janet. We're not being appointed to it.

**Mr Wright:** I can answer your question. I believe it would be zero.

**Mr Bartolucci:** Have you ever been appointed by any other Premier or maybe a Prime Minister to any other board or agency?

**Mr Wright:** Yes.

**Mr Bartolucci:** What's that?

**Mr Wright:** That was the CBC board, and I was offered reappointment by the Liberal government and turned it down.

**Mr Bartolucci:** What were your qualifications?

**Mr Wright:** My qualifications?

**Mr Bartolucci:** To sit on the CBC board. Who appointed you, by the way?

**Mr Wright:** That would be the Conservative government.

**Mr Bartolucci:** The Prime Minister?

*Interjection:* Perrin Beatty.

**Mr Wright:** Perrin Beatty appointed me, yes.

**Mr Bartolucci:** Brian Mulroney was the Prime Minister?

**Mr Wright:** Yes, I think that's true.

**Mr Bartolucci:** I suggest that if you're having trouble with the definition of political patronage, you might want to look back at your record as being vice-president of the Progressive Conservatives federally. You might want to

look at your fund-raising ability for the Progressive Conservatives. You might want to look at your ability to raise money for particular members. I suggest that's a good way of defining political patronage.

**The Vice-Chair:** We'll move on then to —

**Mr Bruce Crozier (Essex South):** We still have a minute.

**The Vice-Chair:** You still have a minute. I'm sorry. Yes, you do. Mr Crozier.

**Mr Crozier:** Thank you. Just a question on the advice regarding the 5% reduction in WCB rates. Did you advise the Premier during the campaign that this should be one of their points?

**Mr Wright:** No. I didn't participate in the development of that particular platform. I didn't get involved in the campaign until it actually started.

**Mr Crozier:** Did you give him some advice, since that was part of the campaign, considering that you were an insurance executive?

**Mr Wright:** My recollection at that time was that it was pretty much a set piece when the campaign started.

**Mr Crozier:** It doesn't mean you couldn't advise them as to whether it was good or bad.

**Mr Wright:** Oh, no.

**Mr Baird:** We don't write policy on the bus.

**Mr Crozier:** I'd like to see him swear to that.

**Mr Wright:** My days on that aspect were functional organization and I don't recall that ever being an issue that was discussed.

**Mr Crozier:** With your experience, it would seem to me to be odd that you wouldn't at least comment on it.

**Mr Wright:** I think there might have been other people around with similar experience.

1100

**Mr Silipo:** Mr Wright, the problem we're having here in terms of your appointment is that given the threshold your friend and colleague Mr Harris set in saying there would be no more political appointments, particularly to the Workers' Compensation Board but more broadly than that, and given that you're here in front of us with your close ties, as you described them earlier for us, the difficulty we're having is that what Mr Harris and you are asking us to accept now is that really we should redefine that election promise to say, "No political appointments except for Conservative members." That gives me great difficulty.

I want to come back to a point you've made in your defence — and I understand that — which is that you feel qualified for this job aside from the fact that you're a member of the Conservative Party and ran the tour for Mr Harris during the election, and that's because of the extensive business and insurance background you bring.

I want to talk a little bit about another piece of that, which is that, as you may know, under the law as passed by Bill 15, some of the changes the Harris government made to workers' compensation require the board, and obviously would require you, to manage in a financially responsible manner. You have that situation and you have a situation in which the cut in assessments of 5% for employers adds \$4.5 billion to the unfunded liability, an unfunded liability which you said is approaching crisis.



As you look at that — and I don't know to what level of detail you've managed to look at it — if you were to conclude that reducing these assessments not just increases the unfunded liability, because it does — it clearly adds a big chunk to the unfunded liability — how do you feel about putting yourself in a position where you'd be saying and doing something that contradicts a fundamental promise Mike Harris has made to cut assessments by 5%? Would you be willing to stand up to him and say, "We can't cut those assessments because to do that would just make the unfunded liability even more of a problem and would force us to have to cut injured workers' benefits even further as a result of that"?

**Mr Wright:** First of all, the unfunded liability and what causes it or what affects it and where it goes up and where it goes down are complex. The assessment rate is obviously a key component of it, but also the claims and what's covered and what's paid are key aspects of it. The management responsibility is to deal with that within the environment that is put forward. I don't have a problem that we can implement the strategy and a lot of that's in the legislative side. As the chair of the Workers' Compensation Board, if I'm asked my advice or my opinion by the government, it will get my honest and direct answer, whatever the subject happens to be.

**Mr Silipo:** I'm asking you for your opinion now, sir, and I wish you would give it to me. But I'm also suggesting that unless the government is prepared to override the board, at the end of the day any reduction in assessments is going to have to be done by an action of the board. If that happens, if that's the situation, unless that changes, it's going to be your responsibility. How do you mesh that with your requirement under the law to manage the board in a financially responsible manner?

**Mr Wright:** I think I did answer the question, which is to say that it's not the only component of the end result. Whether it's assessment you're dealing with or somebody adding or taking away benefits under the program, it has an impact on the financial issues surrounding the board and the unfunded liability. Over the years, when the government chose to add benefits but not increase assessment rates, it was not a lot different. These things have to be brought into balance. It's an issue that —

**Mr Silipo:** You don't see a contradiction if on the one hand the government is saying it wants to reduce benefits to injured workers to reduce the debt, reduce the unfunded liability, but at the same time it's going to also say to employers, "You're going to pay less even though that's going to make the debt larger"? There isn't a contradiction that you see in that in terms of managing this whole thing in a financially responsible manner?

**Mr Wright:** There are answers that lie in there. In my initial reading of the Jackson report, I thought a lot that was addressed there was very interesting and in many ways appeared to address the issues. I want more time to study them in terms of the implementation criteria. Some aspects of what you're asking me to answer are really debate for the Legislature. If you're asking me if I have a problem implementing what potentially will come out of the Jackson report, I will not have a problem.

**Mr Silipo:** You're saying to me that you're not going to have a problem if, as a member of the board and as the chair of the board, you have to drive those decisions. That's what you'll have to do. It's not going to be Mr Jackson who will make that decision in terms of the regulations and the votes around the board; it will be you who will have to do that.

**Mr Wright:** I am unclear precisely, once the legislation is passed, what the mechanisms and what the implementation requirements will be, so when you refer to regulations and other issues I can't specifically speak to them. However, in a general sense, it's my understanding that it's the Legislature's responsibility to decide the level of benefit, and if the Legislature says that the assessment rates are reduced, then yes, the board would have the challenge of implementing those decisions.

**Mr Silipo:** But if it will be the responsibility of the board, how will you deal with that against your requirement to manage the board in a financially responsible manner?

**Mr Wright:** On any financial issues as they approach the board, I have a reporting relationship to the government and it will be my assumption that I report fully and completely on the financial status of the organization and any advice we might have on an ongoing basis as to what action should be taken.

**Mr Silipo:** We no doubt will be coming back to that issue.

I want to talk about another area, Mr Wright. It's been touched on in some ways through some of the earlier questions around service and the structure of the board; you commented about that and some changes you would be willing to take a look at making around the culture of the board. I find those comments helpful.

In my own constituency, I represent a lot of older injured workers, people who were injured many years ago and are quite frankly, years after, still fighting the system and trying to get a decent level of pension. One of the things they have managed to do is to get themselves organized through various organizations, one of them being the Union of Injured Workers of Ontario, and many others across the province; similar groups to that.

I want to hear from you because we haven't heard much, or anything, so far this morning about the relationship that you see between you as the chair of the board and injured workers individually and specifically through the various organizations. I think that's going to be a very important area for you as chair.

**Mr Wright:** I agree with you that it's important. I'm not completely sure. One of the early questions I'll have is how we facilitate some of that communication. There's always the thing that you get painted into a particular view of people, that they're corporate people or they're business people or they're here from the insurance industry, whatever. I would like to put on the record that I have a high degree of concern about the injured workers. I grew up in a situation where my father was a vet who was injured. We fought for his pension. I know what these issues are like.

**Mr Silipo:** Would you commit yourself fairly early in your term to sit down with the various organizations? I mentioned the Union of Injured Workers, the network of



injured workers, the Ontario network. Its president is sitting behind you, watching these proceedings. I think you could send out a very good message by your willingness to sit down with those individuals and others fairly early in your mandate and hearing from them at first hand some of the concerns they have been dealing with over the years.

**Mr Wright:** I consider it part of my responsibility.  
1110

**Mr Silipo:** One of the things your government has been talking about has been making the board itself more representative. We have on the board a representative of employer groups. I was glad to see one labour representation, a very different situation from the old bipartite board. But that issue aside, would you be prepared to advocate for the appointment of an injured worker to be part of the board?

**Mr Wright:** The board makeup is an interesting problem, and I think that's an interesting suggestion. I'd like to think about a bit, but I don't have an immediate concern about it. Obviously, I don't make the appointments, although I would hope that the board is in a position to at least make some suggestions. But it's an interesting suggestion.

Certainly the board needs to consult with these organizations that are essentially the clients of the organization, so not to talk to them would be silly. They're the ones who know what's going on in terms of service and everything.

**Mr Silipo:** I just find it odd that in all of this great concern around making the board more representative, the government seemed to forget about the group that it is supposed to be serving through this board, which you yourself said was really what the board exists for, which is to make sure that injured workers are actively —

**The Vice-Chair:** Your time is up, Mr Silipo.

I want to thank you, Mr Wright, for coming before us today. Your being here has been very helpful, and we wish you well.

**Mr Wright:** Thank you very much.

#### KEITH NORTON

Review of intended appointment, selected by official opposition party: Keith Norton, intended appointee as chief commissioner, Ontario Human Rights Commission.

**The Vice-Chair:** The next item of business for the committee this morning is the review of an intended appointment, Mr Keith Norton, to the Ontario Human Rights Commission.

Mr Norton, welcome. Please make yourself comfortable. Are you going to be opening with a brief statement?

**Mr Keith Norton:** I think perhaps just a very brief statement, although some of you around this table will recognize that I have a reputation for not being brief, but I'll try to stick to that this morning.

It was suggested that simply for the purposes of the record I might make a very brief statement in order to indicate what I bring to this table by way of experience. Most of you know all of this already, so I am not adding much to what you already are aware of.

I must say at the outset that I am truly honoured to be here as a nominee for chief commissioner of the Human Rights Commission, and I say that with all sincerity.

I have had probably one might say a series of careers or sequential careers, something of that nature. My first experience following university was as a secondary school teacher, and subsequent to that, as a teacher at the post-secondary level at community college, and part-time, subsequent to that, at the university level.

I then went back to university and studied law, was called to the bar and practised in primarily a criminal law practice with an orientation as well towards juvenile and family law.

Early in my legal career I became involved, as a result of volunteer work in the Kingston community, in municipal politics and was elected to city council in 1973. During my second term, while I was serving as deputy mayor, I was elected to the Ontario Legislature in 1975 and served for almost a decade until the election of 1985 when I was relieved of my responsibilities by the electorate. During that period I also had the privilege of serving almost eight and a half years in the provincial cabinet as Minister of Community and Social Services, Minister of the Environment, Minister of Health, and finally, for a very brief period, education and colleges and universities.

I then returned to private law practice and to a consulting practice in the community, moving to Toronto at that point, and was involved in a number of other small business ventures, including a publishing venture and a few other things of that nature.

In 1992 I was approached to consider, and subsequently did accept, the appointment as president of the Canadian Human Rights Tribunal, where I have been for the last four years until July 1 of this year. I'm just in the midst of winding up my involvement there at the present time.

I might just say that if at the end of the day this committee decides to confirm the nomination, I'm very much aware of the fact that I will be assuming the most important responsibilities of my career, and in so doing, I will be following some truly outstanding Canadians, several of whom I've known, who have served this province in this office.

One who comes to mind immediately is Dr Dan Hill, who also served with me on the federal tribunal until his health would no longer permit him to continue, and of course, the immediate past incumbent, Ms Rosemary Brown, whom I have known over the last few years in her capacity here — I've known her many years in her public life — and to whom I think we owe a great debt, considering the contribution she has made here over the last three years in addressing some of the problems that the tribunal has faced.

I would be quite happy now to respond to any questions that you might wish to address.

**The Vice-Chair:** We'll start this round of questioning — each caucus will have 10 minutes; this is a half-hour interview — with the Liberal caucus, since we started with the government caucus a few minutes ago.

**Mr Crozier:** Good morning, sir. Considering your experience, I'm sure you're very familiar with the procedure and with the part that this committee plays.



You said just a moment ago, if this committee concurs with your appointment, you will be taking on one of the most important positions of your career. Would you agree with me, though, that it does not matter what this committee does? If we were to vote unanimously opposed to any person who comes before the committee, the government can still continue with the appointment.

**Mr Norton:** That might be so, but I think it would be an important consideration from my point of view if the committee were to do that.

**Mr Crozier:** Would it?

**Mr Norton:** Certainly. I respect the process that is in place and I think it's an important change from the past when I was a member of the Legislature. I think it makes the process more open and transparent, albeit, ultimately the decision does rest with the government. But it does give members an opportunity and the public an opportunity to have some idea of who the individuals are being proposed.

**Mr Crozier:** There may be others who don't understand that that certainly is a possibility.

**Mr Norton:** But I think it would give me pause for thought if the committee unanimously voted against my nomination, even if the government were still prepared to go forward.

**Mr Crozier:** I'm pleased to hear that. I'm not sure that's always the case, but I'm pleased to hear that.

**Mr Norton:** your proposed appointment as chair of the committee: Can you tell me in your words what significance there is to being appointed chair as opposed to being appointed as a member of the committee and the relationship you have with the commission and its activities?

**Mr Norton:** The first thing that comes to mind, I think, with respect to the position of chair, or chief commissioner as it's often referred to, is that it is the only full-time appointment on the commission. The other members are appointed on a part-time basis and serve as called upon on a regular basis, but it's not deemed to be a full-time appointment.

The chief commissioner has responsibility for working with the senior staff of the commission overseeing the operations of the commission, making certain, in conjunction with the other commissioners, of course, certain policy decisions and operational decisions with respect to the operation of the commission as a whole. Of course, the internal process with respect to considering the recommendations that come forward from the investigators is again something which is determined by the commissioners themselves. Ms Brown, for example, had made some significant changes there, I think, that made it a little more efficient in terms of the way that the commission broke up into subcommittees to deal with cases in order to expedite the process. But I think the chief commissioner is in a position to have a significant influence upon the way in which the commission operates.

**Mr Crozier:** You've pointed out the way it operates. Help me. In your opinion, does the chief commissioner have any undue influence on the decisions of the commission?

**Mr Norton:** I would think not, in terms of having any more influence than any other member of the commis-

sion. Each member of the commission is an equal partner or equal member. The chief commissioner doesn't have any second votes or third votes, or his or her vote doesn't count for any more than anyone else's.

**1120**

As I understand the current operation — and, as in the case of the individual who was sitting here a moment ago, I have not yet had any direct involvement with the commission; I had a very brief, informal meeting with the executive director on Monday, which was my first contact. But my understanding is that under the leadership of Ms Brown, as cases come forward the commission deals with them in panels of three; in other words, the commission breaks up into panels of three. If the decision of the three is unanimous, that is accepted as a final decision. If there is a split decision, it goes to a meeting of the whole commission for final resolution. Bearing that in mind, I don't see how the chief commissioner can have any undue influence on the outcome.

**Mr Crozier:** Mr Norton, perhaps you already know this, but as a selection of the official opposition, it was my selection, as I sat on the subcommittee. With all due respect to you, sir, I didn't know any more about Keith Norton than what was on the order-in-council appointments.

**Mr Norton:** Things fade quickly in public life. There's nothing better than a retired politician.

**Mr Crozier:** I'm just a little rural member from southern Ontario.

I point that out, sir, because I could see that you had held significant positions in the Conservative government from 1975 to 1985, that you were a cabinet colleague of the Premier, so certainly you were known to others to a greater extent than I. When I saw that you were being appointed as chair — over the past few years I saw Ms Brown and the commission in operation and I saw the Ontario Human Rights Commission as being an important one, as you've said that you will consider it to be. As well, I got the perception that this government may not be as sympathetic to human rights issues as perhaps other governments have been, but I only say that because that was my perception. It was only recently, as a matter of fact Monday, that I learned of the perhaps significance of your appointment to this chair.

Also, we don't get a lot of information. In other words, we don't get your views in something like this. We don't even get the public appointments secretariat information with your background, detail on your experience — and you've had extensive experience — until later in the process.

So I have to ask this. It comes written in someone else's words, but I'd like your comments. James Wallace in the Toronto Sun wrote on July 14, and I ask this because I have a number of new Canadians in my riding, "New Canadians who follow discriminatory practices, either cultural or religious [must] adopt Canadian values." Can you explain that for me?

**Mr Norton:** I can assure you, when I saw the headline on that article on Saturday —

**Mr Crozier:** It isn't the headline.

**Mr Norton:** No, but there was a headline that said something about pursuing "Canuck values," which were



not my words at all. I think the article that followed on Sunday by the same journalist, being more lengthy, put things in a somewhat more accurate context. The abbreviated version on Saturday I think tended to be misleading in terms of the discussion we actually had.

During our discussion, the question was raised by the reporter about the situation with respect to some perhaps ethnic communities where, for reasons of cultural tradition or maybe religious views, women, for example, might be treated in what would be regarded as a discriminatory way under our legislation.

My comment was that I thought that it had to be understood by members of all communities that equality is equality, and that if women in those minority groups where their cultural tradition might have placed them in a subservient role wished to bring their complaint forward and it fit within the legislation — for example, the workplace or accommodation or access to services and so on — that would be dealt with in the same way as any other complaints, because one of the underpinning values in our society that everyone must understand is that equality means equality.

I'm not anticipating there will be, but there might be situations which would cause some conflict within a community where there's a conflict with values. Nevertheless, all citizens have equal access to the protections of this legislation. That's sort of the conversation we had.

**Mr Crozier:** I thank you for the clarification. It was also mentioned in the article the day before, and the way that article started was, "Immigrants must adopt Canadian values of tolerance, even at the expense of religious beliefs."

**Mr Norton:** But those are not specifically my words.

**Mr Crozier:** No, they weren't; that's not in quotation marks.

I need your view. There are Canadian religious views, not just from other countries, but there are a variety of religious views in Ontario that we might say are Canadian, although we were all immigrants at one time. To what extent must, in your view, tolerance by religious views be held as opposed to, as you see it, the right of a pluralistic society?

**Mr Norton:** Obviously, freedom of religion is an important consideration as well. All I suggested in that conversation was that if a member, an individual, felt their equality rights were infringed and they wished to bring it forward, it would be dealt with on the same basis as any other complaint.

May I just give you an example of a situation with which I am more familiar? It creates equally complex cross-cultural issues that have to be weighed very carefully, and that's within aboriginal communities in Canada, for example. At the federal level, with the tribunal over the last four years, although I didn't hear any of these myself, we had several cases where by virtue of tradition within an aboriginal community, women were treated very differently from men. For example, if a woman who was a resident on a reservation married a non-status Indian, she would lose her rights with respect to services and accommodation and so on on the reservation. But if a male resident of the reservation and member of the

Indian band married a non-status female person, they would both have full rights.

Those kinds of issues do arise throughout our country, not just with newer Canadians, but there probably always will be some kinds of cross-cultural issues like that that arise.

**The Vice-Chair:** We'll move on to the New Democratic caucus and Mr Silipo.

**Mr Silipo:** Welcome, Mr Norton. I want to say at the outset, before getting into some questions, that we've received, as you may know, as members of the committee, some letters with respect to your nomination. I'm quite troubled by the tone of some of the letters, which seem to me to be indicating an opposition to your taking on this position simply and almost exclusively on the basis of your sexual orientation.

**Mr Norton:** I've seen only one; I didn't realize there were others.

**Mr Silipo:** No, there were others. Those positions I find somewhat offensive and I disagree with. I just wanted to put that on the record.

I wanted to ask you, however, about the role you're going to be taking on in terms of some of the challenges. You've talked about some of the work that's been going on at the commission. We all know about the problems with the backlogs and some of the efforts that have been made, including the infusion of some additional funding during the tenure of the last NDP government.

One of the things that's happened recently, when the current government set out its business plans for the different ministries, was that it outlined the cut of 6.2% to the Human Rights Commission, which to me seems to be quite contrary to something the government said during the election, which was that a portion of the money saved by winding down the Employment Equity Commission, that other commission that as you know has been shut down, would be redirected to the Human Rights Commission. That clearly hasn't happened.

1130

We saw even after the government took office certainly a couple of commitments, one in particular by one of our colleagues here. Mr Clement, the minister's parliamentary assistant, in a committee reviewing Bill 8, the repeal of that employment equity legislation, said, "We certainly are intent on reforming the commission, and there have to be resources available for the commission to be reformed."

My worry, and I know the worry of many who advocate for people affected by the work of the commission, is that the funding cut of 6.2% is not going to allow the commission to continue the work it has been doing to deal with the backlogs, to not just get itself on a footing of being able to deal with cases expeditiously and well, but to be able to continue that. As you go into this job, do you worry about that and the level of resources that are available to the commission to do its work?

**Mr Norton:** I don't know precisely what the budgetary considerations are yet because, as you know, up until such time as there is a confirmation and I'm finally officially appointed, if that should happen, I have access to no information that is not available to the general public. Obviously, having heard those issues raised not



just for the first time here — I was aware of those issues through the media as well — that would be one of the first things I would like to address in terms of my early dealings with the senior staff, to get a clear assessment myself as to the budgetary restrictions we're faced with and what the impact might be upon service.

Obviously it's going to be very important to maintain the level of service and to continue the efforts that have begun in terms of progressively reducing what is not so much, I guess, a backlog as it is the waiting period. It's been reduced, I have been told, from an average of 22 months down to 15 months, but that is an average. That still means there are cases that have been sitting around for perhaps several years. I don't know why that might be, but I would like to get a handle on that quickly.

I understand that some of the causes of that are beyond the control of the commission. The legal process being what it is, the internal decisions of the commission can be reviewed by the courts at every step as well. That, in the case of particularly well funded respondents, is often done, and that can delay, if every time a decision is made it's reviewed by the courts before you can go to the next stage of consideration. You can drag a case out several years just doing that.

I don't know yet what all the causes are, but I certainly want to address that, and resources are an important consideration.

**Mr Silipo:** One of the concerns that many have expressed is the increase in the commission's dismissing of complaints, and particularly with no reasons given as to why the complaints were dismissed. Many see that as simply another tool that the commission has been forced to use to deal with its backlog, which presumably will only get worse if resources are diminished. Again, do you have a concern about that, or what would you see yourself doing as chair to deal with that clear concern that's been expressed?

**Mr Norton:** I would certainly like to have a look at that as well. I don't know what the reasons for that might be.

The section, of course, under which those dismissals are taking place, section 34 of the act, does set out what the criteria are, the grounds for dismissal. Obviously there will always be some cases, I suspect, that do appear to the investigators and the commission ultimately to be frivolous and vexatious or whatever. I don't think, especially at a time when resources may be scarce, that you want to spend a lot of time with frivolous cases. But there may well be others that are not frivolous that have been dismissed, and I think that in those cases people ought to know why they're dismissed. I didn't realize there was no reason given. I think that if your case is dismissed, you should be told why.

**Mr Silipo:** One of the concerns that certainly I and many others have is that the Minister of Citizenship, who, as you know, is responsible for this body, has so far, to my knowledge, not met with groups like the Alliance for Employment Equity, who are very concerned about what has happened both prior to the elimination of that legislation and certainly since.

You obviously can't tell the minister what to do, but you can set a tone in terms of what you will do as chair

of this commission. I'd like you to talk a little bit about your commitment to being accessible to community groups, whether it's this group or many, many others, of course, throughout the province who have concerns about the way in which the commission has been working and ways in which it can be improved.

**Mr Norton:** I have to be cognizant of the decision-making responsibility of the commission and therefore be very careful about the nature of discussions with individuals and groups — or with government, as far as that goes — with respect to any specific cases that might be before us or coming before us.

**Mr Silipo:** I'm talking about broader issues, not individual cases.

**Mr Norton:** With respect to the process or frustrations with the process or recommendations for ways in which it might be improved, I've already indicated, not publicly yet, but certainly to some of the individuals with whom I've had conversations, that I would like early on to meet with some of the stakeholders, for want of a better expression, to discuss those kinds of things. I know that even in the press recently some of the legal counsel who have appeared before the commission have expressed some frustrations, and if they have frustrations, then presumably they have some suggestions as well.

I would like, before launching into making any suggestions as to how it can be improved, to get a pretty good handle on what problems may exist and what those who are closest to the problems recommend, including the staff of the commission, of course, and I know they have some.

**Mr Silipo:** One of the concerns you may be familiar with is that there have been some allegations recently about racism within the commission or at the commission. I think one of the things that maybe have added to that concern is the virtual elimination of the systemic racism unit of the commission. Again, quite frankly, I'm not in a position to make a judgement as to what the problem exactly is, but it is a concern that's there and that's clearly been expressed by a number of people. I'd like to hear what you would do to make sure the commission deals with systemic discrimination both in terms of concerns that may exist within the commission itself but obviously in the broader mandate that the commission has, especially now that the employment equity legislation no longer exists.

**Mr Norton:** I certainly am not in a position to make any informed comment at this point on what may or may not have occurred internally to the commission. I hope, with respect to any internal tensions that may exist, that I can bring to the commission an openness with respect to staff that would lead to a workplace climate that will lead to the reduction of those kinds of things. If I can identify that there are such problems, I certainly will try to address them early on.

I do think it's fair to say that I have dealt in the past with a number of difficult situations — in fact, there were times when I think I was deliberately put into difficult situations because they were difficult — where staff morale and so on were problematic within at least a couple of ministries.



**Mr Silipo:** I know at least about one of those.

**Mr Norton:** I see Mrs Ecker smiling. I think it's fair to say that I was successful in addressing those internal concerns, and I hope I could bring some of that experience to bear in dealing with any such problems that may exist in the commission.

**The Vice-Chair:** Thank you very much. We'll now move on to the government caucus for some questioning.  
1140

**Mr Tony Clement (Brampton South):** Mr Norton, if this committee concurs, you'll be getting involved in a very important position which also contains high visibility as well as high responsibility. It would be no surprise to you that just as others in the past have attacked the chair of the commission for holding personal views or holding personal interests or having something in their personal background that someone disagrees with, you're now in the spotlight and people are training the howitzers at you.

There is a point of view out there which Mr Silipo alluded to that suggests that somehow you are going to take your own personal interests and your own personal background and make that the agenda of the commission and the agenda of the government. I was always taught in school that it was the government and the Legislature that struck the public policy for the province of Ontario, but I wanted to get your views on record. Whose interests do you think you're representing as chair of the commission?

**Mr Norton:** I think as chair of the commission it is my responsibility to represent the public interest — not the interests of any individual group exclusively and certainly not my own personal interests, but the public interest. That's an important consideration and it's something I think I'm quite capable of doing, given the fact that I've just finished, for example, four years in a quasi-judicial position where I had to do that all the time.

If I might just take this opportunity, because I did see one of those letters which implied that there might have been some bias, I suspect — that was the implication — in a recent high-profile decision which I as chair of a panel made. I just want to say this one thing: If anyone wishes to take the time to read that decision, they would understand that my personal views had little or nothing to do with the ultimate decision. The law on that case was law that was decided by the Supreme Court of Canada. We could have probably come to no other conclusion than the conclusion we came to.

I think the implication is itself suggestive of discrimination, and I just say this not to be provocative. If sexual orientation is a basis for apprehension of bias — my two colleagues were heterosexual, so why is the bias not the other way? I don't for a moment imply that they were biased either, but I think all of us were quite capable of dealing with the issues objectively, applying the law to a fact situation with which we were presented and came to the correct decision; that's my view. Under no circumstances would I pursue my own agenda or the agenda of any particular interest group over and above the other interest groups. I think the broader public interest is the only interest I serve in this office, if appointed.

**Mr Clement:** As you know, our government is absolutely committed to hiring on the basis of merit. That

is the only criterion that we see as relevant in hiring and promotion in the workforce. Clearly, the hiring of the chair of the Ontario Human Rights Commission, the chief commissioner, should be a beacon for that philosophy. We should be hiring on the basis of merit as well, not on the basis of extraneous factors or background. You've outlined in your opening statement, high school teacher, post-secondary teacher, minister of the crown, lawyer, your impact and your experience on the federal tribunal, all of which are positions that you've held. What skill sets do you derive from those previous positions in your life that you wish to apply to this commission, particularly as you were talking with Mr Silipo about changes that have to be effected in the way the commission operates? What are the skill sets that lead one to conclude that merit is the basis of this appointment?

**Mr Norton:** I think probably there are a variety of things I would identify. Certainly, decision-making is one. I have obviously very extensive experience in making decisions in areas of public policy for many years now, I think with a reasonably good track record — not perfect, I'm sure; none of our records are perfect.

In terms also of the broader mandate of the commission, one of the things that I see as particularly significant, especially in a day and an age when there's significant misunderstanding out in the broader community as to the role of the Human Rights Commission — you hear people expressing suspicions that it has an agenda that is not necessarily serving the public interest, and I think those are based on misunderstanding.

I think an important component of the responsibility of the commission is public education. I would like to build upon my experience as an educator to try to develop effective public education programs that are going to bring people to a better understanding of what this is all about and the fact that the human rights legislation of this province does not serve any special-interest group; it serves everyone in the province.

Anyone in the province who feels they have been discriminated against has a right to bring a complaint before the commission regardless of what racial background they may come from or religious or ethnic or gender — everyone. That's often mistaken, especially by those of us who may be members of a visible majority. Some individuals may think, "Oh, it doesn't serve my interests." Well, it sure does. If the rights of any individual are trampled upon in this society then it affects all of us.

Sorry, I got off on a tangent there.

**Mr Clement:** Do we have time for one more, Mr Chair?

**The Vice-Chair:** You have about 10 seconds.

**Mr Baird:** Can I go for a quick one then?

**The Vice-Chair:** Go ahead.

**Mr Baird:** You're a former member of provincial Parliament. You served for 10 years. It's been a big issue around here over the last number of months with changes to our own pension plan. Being here for 10 years, I assume you're collecting an MPP pension. What arrangements would you make in terms of that and collecting a full-time salary?



**Mr Norton:** The discussions I had with the deputy minister — I want to make it clear I've had no discussions with any elected official at all about this from day one, but in the discussions I had with the deputy minister we arrived at an understanding that the remuneration package would be \$112,000. That's a few thousand dollars less than my predecessor, according to the media. I don't know whether that's true or not, but that's irrelevant. We agreed upon \$112,000 as the package. Offset against that is my provincial pension, which amounts to something in the neighbourhood of \$27,000, I think. It may be \$27,500 at the present time. So that would mean that the actual remuneration for the position would be about \$84,500, which hopefully will contribute to solving the budgetary problems a little bit, because it's about \$30,000 less in salary, because of the pension component being factored in, than the \$115,000 that previously was required.

**Mr Baird:** It contributes far more than money; it says a lot about your —

**Mr Norton:** There was never any question about the offsetting. That was never a question on either side.

**The Vice-Chair:** That ends our questioning, Mr Norton. Thank you very much for coming before us today. You're being here has been very helpful. We wish you well.

Being as that's all the business on the agenda for this morning, we will break and come back —

**Mr Baird:** Mr Chair, I was hoping we would have the opportunity at this time to move concurrence of the appointments we did this morning. I think it's important — we've just spent an hour and a half to two hours questioning the appointees — that while it's fresh in our minds, I could take the opportunity to move concurrence this morning.

**The Vice-Chair:** The normal procedure is that we do concurrence at the end of the day, although I am in the hands of the committee. We still have 10 minutes before noon when we're scheduled to break. If you want to do that, that's fine by me.

**Mr Crozier:** If his memory is that short, I think we better get at it right now.

**Mr Silipo:** Mr Chair, could we deal with them separately?

**The Vice-Chair:** Yes. I will entertain then a motion of concurrence.

**Mr Baird:** I move concurrence in the appointment of Glen Wright as chairman of the Workers' Compensation Board.

**Mr Crozier:** I just want to point out — and we've had it happen again where the government takes the position that they're holier than thou and that they don't take into consideration at all a person's political affiliation when it comes to appointments. The public is not that naïve. He's very well qualified, that very well might be, but to say that he's the best qualified may be questionable. I assume there are others out there who have the — any of us who feel that we are better than anybody else better take a second look in the mirror. I just wish we wouldn't continually be told that there's no consideration for political affiliation on these things.

**Mr Silipo:** I have some concerns with Mr Wright being appointed to this position, not just for the political affiliation issue. From some of the things that I heard, I would have thought that particularly somebody as close to the Premier as Mr Wright clearly is would have come to this table with a broader sense of the balance that he has to strike at the Workers' Compensation Board between the financial responsibility that he's charged with and the responsibility for delivering good quality service to individuals. I presume his appointment will go through. I hope he does better than I think he will but I can't support his appointment at this point.

1150

**Mr Bartolucci:** I'll be voting against the recommendation because clearly I believe this to be a pure and simple patronage appointment. I think we should be looking for the best qualified people. I would suggest three names that come to mind very quickly for me, from a very local level, would be Dave Campbell, Rolly Gauthier or Leo Gerard, who truly understand the problems with the WCB.

**Mr Baird:** I certainly appreciate Mr Crozier's comments in terms of where he's coming from. I think when the issue of patronage appointments has caused a terrific amount of concern in the public it's when someone with absolutely no qualifications for the position whatsoever receives an appointment, purely because of their political connections.

I think we have a problem in this province. I think all the parties would agree that we have a tremendous difficulty in often attracting well-qualified people, whether it's for political parties who seek nominations, whether it's for public appointments, because often people don't want to go up to what is a terrific amount of public scrutiny, not in terms of just the appointment process but in terms of the ongoing effort.

We had a terrifically difficult time filling a number of appointments. I look at the present WCB. We're very fortunate, I think, to have Mr O'Keefe agreeing to take on the position because it's a tremendous challenge which poses a tremendous amount of difficulties. It's a credit that he accepted the job. I would indicate the same about Mr Wright. I think he's got a terrific amount of very relevant experience with respect to disability, health, insurance, actuarial and benefit issues. He's someone who has got, I think, extremely relevant experience and I am quite pleased to have anyone read his credentials and let the merits of those credentials stand on their own.

**Mr Silipo:** Could we have a recorded vote?

**The Vice-Chair:** Seeing no further discussion and comment, we will now hold that recorded vote.

**Ayes**

Baird, Bassett, Clement, Ecker, Ford, Bert Johnson, Parker, Smith.

**Nays**

Bartolucci, Crozier, Silipo.

**The Vice-Chair:** Concurrence has been voted on and is given.

**Mr Clement:** Mr Chair, following up on that, I move concurrence in the appointment of Keith Norton as the



chief commissioner of the Ontario Human Rights Commission.

**Mr Silipo:** I want to indicate for the record I will be supporting this appointment. You notice that I didn't raise during the time the question of political patronage because, although Mr Norton certainly has affiliation membership in the Conservative Party, I believe he has also very clearly proven, both within some of those positions and beyond, his ability to do the kind of very delicate work that has to be done at the commission.

I think it's a very challenging time ahead. I wish him well. I think he's going to have a difficult time finding the right balance. I hadn't met Mr Norton prior to this morning but I certainly know of him, and listening to him this morning I can certainly walk away from this table with a level of comfort that at least he understands the challenge that he's going into and the kind of balance he has to strike. I'll be supporting his appointment.

**Mr Parker:** I just want to take the opportunity to say that I think Mr Norton showed this morning why he is eminently qualified for this position and I'm proud to be able to put my support for this nomination clearly on the record.

**The Vice-Chair:** Seeing no other comment, we will then vote on concurrence re Mr Norton. All those in favour will so indicate. All those opposed? It's unanimous.

**Mr Baird:** I believe a motion to report this decision is required. If so, I would move such.

**The Vice-Chair:** Okay. All those in favour of reporting the concurrence of this morning?

**Mr Bert Johnson (Perth):** I'm voting for it.

**The Vice-Chair:** All those in favour will so indicate. Mr Johnson has already done so. Thank you very much.

We'll convene at 2 o'clock. There is a need for us to meet as a subcommittee. Who's subbing for Mr Wood today? I believe, because we are expecting that we may have some further nominations for appointments coming out of cabinet today, that we might want to meet at the end of the day as opposed to lunchtime — is that okay with everybody? — and we can deal with any business at that point.

**Mr Crozier:** As long as it's quick because I have an important appointment this afternoon.

**The Vice-Chair:** The last piece of business is at 3 o'clock, which should be done by 3:30, 4 o'clock at the latest.

**Mr Baird:** I have to leave at 4.

**The Vice-Chair:** Do you want to have the subcommittee meeting now? The only thing is the subcommittee meeting now cannot deal with the intended appointments. Anyway, we'll wait till 3:30, quarter to 4, and we'll see what happens.

*The committee recessed from 1158 to 1402.*

#### BILL FORD

Review of intended appointment, selected by third party: Bill Ford, intended appointee as member, Ontario Council of Regents for Colleges of Applied Arts and Technology.

**The Vice-Chair:** We will commence proceedings for the afternoon. I want to welcome you all back from

lunch. I would ask Mr Ford, the intended appointee to the Ontario Council of Regents for Colleges of Applied Arts and Technology to come to the front. I believe you have a short opening statement you'd like to make.

**Mr Bill Ford:** Mr Chair, members of the standing committee, my name is Bill Ford, a resident of St Catharines since 1958. For the past 16 years I have been associated with the community colleges through Niagara College and also ACAATO, the Association of Colleges of Applied Arts and Technology of Ontario. I started originally as a member of various advisory committees at Niagara College. Then I was invited to serve on the board, becoming chair for two years: 1988 to 1990. During this period I also served on the ACAATO executive, first as the western region rep, then vice-president and finally president for two years. As president, I was invited to attend the meetings of the Council of Regents. While I did not have a vote, I was able to participate in their deliberations and, more importantly, to observe their method of operating.

When the Niagara College Foundation committee was struck, I became a charter member and then secretary. The foundation was primarily engaged in fund-raising. As an example, the family owning the Maid of the Mist gave us a donation of \$250,000, so our new tourism and hospitality centre in the city of Niagara Falls is now known as the Maid of the Mist Centre. I mention this because the colleges, with the restrictions placed upon them, may have to do more actual fund-raising.

As you can see from my résumé that I submitted, I have been heavily involved in community service. At the risk of sounding corny, community service, in my opinion, is the rent you pay for the privilege of living in a great province. My appointment to the Council of Regents would in my opinion be a fitting climax to my years of involvement with the colleges. Thank you.

**The Vice-Chair:** Thank you very much, Mr Ford. We will have a round of questioning, 10 minutes for each caucus, starting with the New Democratic caucus and Mr Silipo.

**Mr Silipo:** Mr Ford, thank you for being here. I certainly agree with your long list of involvement in various ways, and you've summarized those for us. Just for the record, could you tell us if you are a member of the Conservative Party.

**Mr Bill Ford:** Yes, I am.

**Mr Silipo:** You talked about the various roles you've played within the college sector and, as I said, I think it's noteworthy. I'm sure you know that the college sector, as well as the whole post-secondary system, is going through some significant changes and challenges. I wondered if you could talk to us a little bit about your thoughts of where you see the future of the college system, particularly in light of the review that was announced yesterday by the Minister of Education and Training and how that might particularly affect the college system, as you see it.

**Mr Bill Ford:** I realize that there's been an overall reduction in post-secondary of about \$400 million, \$120 million of which is applicable to the community colleges. As I see it, the role of the community colleges is very important in the training today of our youth. I think, as



I mentioned in my opening remarks, colleges will have to engage in actual fund-raising and colleges will have to review their methods of operating and effect whatever economies they possibly can in order to live within the budget that's been allocated to them.

**Mr Silipo:** The cuts that you've mentioned, \$400 million in the whole post-secondary sector — my understanding is that about \$120 million of that will come out of the college sector specifically, which is a pretty significant reduction proportionately. I haven't done the math, but our notes say here it brings down the college funding from the province to \$689 million, so that's a pretty significant proportion. Tuition fees are going up by 15% for next year. Is this kind of shift more and more towards the student paying for a larger proportion of the system, of the cost of education, something that you think is a good direction for us to be following?

**Mr Bill Ford:** Within limits I think it's a good direction to be following because I feel if they have a financial stake they have more at risk, if you will, and more able to apply themselves to the task at hand.

**Mr Silipo:** You're not concerned about what it might do in terms of access to the system, that the more we increase tuition fees the harder it's going to be for students from low- and even middle-income families to get to college, to pay their tuition fees and all the other associated costs?

**Mr Bill Ford:** As I said, I qualify that within reason. There's obviously going to be a point when it would inflict some hardship on certain would-be students. But if you drive by a community college or a university today, by and large you can't get another car on their parking lots, so I don't think at the present moment there's a great deal of suffering, student-wise.

1410

**Mr Silipo:** I'm surprised to hear you say that because certainly what we continue to hear from various students' organizations and students is that in fact it is causing great hardship not just in the college sector but in the university sector as well. So I'm a little surprised to hear you say that in fact you don't think it's a real problem at this point.

Where would you see the breaking point, then, if you don't see it now? If you think that right now what's being asked of students is reasonable, if I can take that from what you're saying, how much more do you believe tuition fees can increase before we reach the point, in your view, that the students won't be able to afford to go to college?

**Mr Bill Ford:** I wouldn't want to hazard a guess on that. I don't know at which point it would be the breaking point.

**Mr Silipo:** One of the directions the government seems to be pursuing is the privatization of the post-secondary system, perhaps more on the university side than the college, but I want to ask this question because I think we may see and will see signs of that. Is that something that as a member of the college Council of Regents you would support or reject; that is, the greater move towards privatization of the post-secondary system?

**Mr Bill Ford:** As I say, over the past 16 years I've been associated with the community colleges. I guess I'm

sold on the community college concept. I'll confess that I haven't given that a great deal of thought. It's only in the last couple of days I've noticed it in the *Globe and Mail*. I haven't given a great deal of thought to the privatization of it.

**Mr Silipo:** Okay. So you don't really have an opinion on that, but certainly with your years of experience you don't see the merit of maintaining — or you think that it's something that needs to be changed, maintaining the system within the public institutions of the province as opposed to encouraging more and more privatization, more and more private colleges or universities to be established?

**Mr Bill Ford:** I would like to see the system maintained the way it is now. If we've been guilty of anything, we haven't sounded our own horn. I think we have an excellent setup.

**Mr Silipo:** In terms of your background and your interests, Mr Ford, what would be the single largest contribution that you feel you would make as a member of the council of regents?

**Mr Bill Ford:** I spent many, many years in business. I'm familiar with collective bargaining. I managed a plant in the peninsula with 150 employees that was unionized. I sat in on the collective bargaining for 14 years for that plant. As chair of the board of governors at Niagara College, I did a lot of interviewing with Jacquie Robarts, who was the president at that time, of would-be governors. So I have some experience along that line.

**The Vice-Chair:** Thank you very much. We'll then move to the government caucus. You have eight minutes for questioning.

**Mr Douglas B. Ford:** Thank you for coming today. I've got just a very light question for you here. Are you familiar with the current government's initiatives out of the May 1996 budget?

**Mr Bill Ford:** Well, I'm getting more familiar with it, Mr Ford, yes. You're speaking about the reduction in the grants to the colleges and the universities?

**Mr Douglas B. Ford:** That's right.

**Mr Bill Ford:** I'm familiar with that: \$120 million and \$180 million. Also, I see that a new committee has been struck to review the post-secondary education. So I'm familiar with those types of things.

**Mr Douglas B. Ford:** That's what I'm asking about. You're familiar with that, are you?

**Mr Bill Ford:** Yes.

**Mr Douglas B. Ford:** Thank you very much, sir.

**Mr Parker:** Mr Ford, welcome here today. What is the term of office that you're about to be appointed to? What's the duration?

**Mr Bill Ford:** It's my understanding that it's a three-year appointment.

**Mr Parker:** I wonder if you could just shed some light, for our benefit, as to the challenges you foresee for the council of regents over that period.

**Mr Bill Ford:** I think one of the things we have to stress is be very careful on the selection of governors or would-be governors for the college system. That would be of extreme importance as would sitting in on the negotiations of any contracts, particularly with restrictions on money.



**Mr Bert Johnson:** Mr Ford, you sat on the board of Niagara College for six years. You were appointed by the board of regents. What experience did you gain there that will help you now in your new responsibilities?

**Mr Bill Ford:** I think basically that sitting on the board of governors and chairing the board of governors — moving to the Council of Regents you might say is an enlargement of the same type of thing that went on within the single college: again the selection of governors, collective bargaining.

**Mr Bert Johnson:** It brought out to you the importance of the leadership of the individual colleges.

**Mr Bill Ford:** Very definitely, yes, particularly the role of the president.

**Mr Smith:** Likewise, welcome to the committee, Mr Ford. You responded in part to a question that was posed by Mr Silipo by referring to the collective bargaining process and your experiences there. I know certainly the collective bargaining process is one of three major functions of this particular body. I was wondering if you could share with the committee how your experiences — and I realize you alluded to your experiences with some 150-odd employees in the peninsula — are providing you with the necessary experience to deal with the collective bargaining process with the council.

**Mr Bill Ford:** I think from what transpired in the collective bargaining at the plant I was involved with, it gives you the general flavour of collective bargaining. I would want to see the position of both parties before I could go into it, Mr Smith, in any depth.

**The Vice-Chair:** Any further questions from the government caucus?

**Mr Parker:** Maybe we could just reserve the time.

**The Vice-Chair:** If not, you've got about five minutes left when we come around again. We'll move to the Liberal caucus.

**Mr Crozier:** Good afternoon, Mr Ford. I was interested in your comment about judging the degree to which students could tolerate increases in tuition fees by relating it to the number of cars in the parking lot. Could you elaborate on that?

**Mr Bill Ford:** I guess what I was trying to say is that in this day and age, if you can afford to drive a car, I don't feel you're really strapped for money. By making that reference to the parking lot, I realize it's a general reference but I think it's indicative of what is happening. The students will, in my opinion, be governed considerably by whether they're able to get part-time employment during the summer holidays or the so-called vacation periods, whether they can amass sufficient funds to pay for their tuition.

**Mr Crozier:** Do you happen to know what percentage of students who attend community colleges are from the local area?

**Mr Bill Ford:** No. I must confess I can't answer that. I've heard the figure mentioned at Niagara College, but by and large, as we don't have a residence yet at Niagara College, it would be pretty safe to say that the students at Niagara College are from the peninsula 100%.

**Mr Crozier:** So someone like myself who also doesn't know how many come from the local area might assume

that they're driving a parent's car because they simply need the transportation.

**Mr Bill Ford:** Correct.

**Mr Crozier:** You said also with regard to Mr Silipo's question on tuition fee increases as being a good thing because it applies more risk to the students and encourages them to apply themselves more.

1420

I see that you attended the University of Toronto, and even relatively recently Brock University. Were you a proponent of higher tuition fees at that time, when you benefited from it and said it would be a good thing because it would make you apply yourself more?

**Mr Bill Ford:** The question didn't come up, sir, when I was attending the University of Toronto. I was attending the University of Toronto because I had been overseas and was attending through a veteran's benefit. As far as attending Brock University, I did that after hours, on my own time, and whatever the tuition fee was I paid it. I didn't give any thought to whether it should go up or down, whether it was too high or too low.

**Mr Crozier:** So when you first attended university, your education was totally paid for?

**Mr Bill Ford:** Let's say yes and no.

**Mr Crozier:** I don't know. I'm only asking the question, sir: Was it totally paid for?

**Mr Bill Ford:** I feel I earned it. Can I answer that way?

**Mr Crozier:** You can if you'll tell me whether it was also totally paid for.

**Mr Bill Ford:** It was totally paid for.

**Mr Crozier:** The only point I'm making is that it seems to me that you, having attended university — albeit you earned it, and perhaps students who are attending university now have earned it in one way or another — your tuition was totally paid for and that when you attended Brock University in 1984 you didn't give any thought as to whether you should pay a greater portion of the tuition fee, but now, at your position in life, you feel it's a good thing. I'm just trying to clarify it.

**Mr Bill Ford:** Obviously I put my foot in it with that remark. Possibly I was influenced by what I read in the Globe and Mail last week, I think it was on the Facts and Arguments page, a well-written article by someone from Toronto by the name of Barbara Ward, who was trying to make the distinction between good students in the class and the not so good. She used the analogy that because they had nothing at stake they weren't applying themselves. I think maybe that's influenced my thinking on it.

**Mr Crozier:** I certainly hope those who are not applying themselves because they have nothing at stake are in the minority.

With regard to colleges, and universities for that matter, and public schools and high schools having to raise money for various activities they'd like to have, but particularly colleges in this case having to have fundraising, are you at all concerned that may result in colleges that are haves and those colleges that are have-nots, perhaps because of their geographical location and the business support, the public support they might have? Are you concerned about that?



**Mr Bill Ford:** I could see that happening down the road very definitely, yes.

**Mr Bartolucci:** Just a follow-up to that, Mr Ford: Are you in agreement and do you support distance education?

**Mr Bill Ford:** How do you mean that, sir?

**Mr Bartolucci:** Education from establishments, from schools, from institutions which reach out to areas that are not in close proximity to the institution.

**Mr Bill Ford:** I would think that's quite in order. I got my first accounting degree from the University of Toronto by home study. While I was doing it I resided in places like Sudbury and North Bay and Chatham, and my courses were coming from Toronto, if that's what you mean.

**Mr Bartolucci:** That's distance education. As a regent for the Ontario Council of Regents, what will you do to enhance distance education?

**Mr Bill Ford:** I'm sorry, sir, I can't answer that one.

**Mr Bartolucci:** You can't answer it? Okay.

You know that there are two bodies that look after post-secondary education. There's the Ontario Council of Regents and the Ontario Council on University Affairs. Do you think they should be joined? If they were joined, how would you ensure that both bodies are protected?

**Mr Bill Ford:** I don't think I'm prepared to make a statement that they should be joined. I would like to see more cooperation between the community colleges and the universities. I think that is under way at the present time.

**Mr Bartolucci:** Do you think the courses then should be interchangeable with regard to credits?

**Mr Bill Ford:** Not necessarily interchangeable, but interlocked, if you will.

**Mr Bartolucci:** What's the difference?

**Mr Bill Ford:** If someone is going to a community college and may decide from their experience at community college that they would like to go on to university, then I think there should be some way they can do that, receiving credit for what they've done at community college applicable to what they're going to tackle in university, rather than starting afresh.

**Mr Bartolucci:** A full credit?

**Mr Bill Ford:** Depending on the course, yes.

**Mr Bartolucci:** So you agree that their courses should be interchangeable then and the credits should be interchangeable?

**Mr Bill Ford:** No, I'm not saying that I agree with interchangeability, I'm saying there should be some method of interlocking. Maybe we're just quibbling over semantics.

**Mr Bartolucci:** For somebody who's going from a university to a community college or from a community college to a university, it's not quibbling, it's dollars and cents. If a student attends two years at a community college and gets no credit, then that's two years of tuition that individual has paid towards his education that he's not receiving credit for, so I don't think it's quibbling at all.

**Mr Bill Ford:** No, but I said I thought there should be some way of interconnecting. That's a very good point that you're bringing out. I don't think they should be deprived of that two years, not 100%.

**Mr Bartolucci:** As a regent for the Ontario Council of Regents, what are your ideas with regard to councils for international and global studies? Do you think that we as a province should be actively pursuing that?

**Mr Bill Ford:** I think personally it's an excellent idea. I spent a month over in China when I was chair of Niagara College with Ch'ang-sha University officials in the city of Ch'ang-sha. I think bringing over students from other countries is a step in the right direction, yes, particularly with the emphasis today on global economy.

**Mr Bartolucci:** So you see it as a very good move?

**Mr Bill Ford:** Yes, I think it's an excellent move.

**Mr Bartolucci:** Okay. And how, as a regent for the Ontario Council of Regents, would you ensure that that happens and what type of stipulations would you build into a system so that students from Ontario's community colleges could take part in it?

**Mr Bill Ford:** I would have to examine closely just what the setup is at the present moment. As I indicated, I went over to China. My job over there was to speak to the government officials, stressing the training that can be obtained at community colleges.

**The Vice-Chair:** I'm sorry, Mr Bartolucci. The New Democrat caucus has two minutes —

**Mr Silipo:** We have two minutes? Okay.

**The Vice-Chair:** — if you'd like to ask a quick question.

**Mr Silipo:** I wonder if could just come back, Mr Ford, to this question of privatization. Certainly, over the next number of weeks, as the panel appointed by the minister will be holding some hearings and talking to people, we'll obviously get a broader sense of where the public is at. But I think it's fair to say that there are many people who have real concerns about privatization. I gather that today, for example — not that this is any kind of a scientific indication, but certainly on a radio talk program most of the callers who called in clearly indicated their opposition to privatization. I suspect that we're going to continue to see that as the weeks and the months unfold.

1430

I guess what worries me is the fact that the government seems to be pretty much determined to go this route, regardless of what the public thinks. I wonder again how you see your role as a member of one of the two overarching governing bodies for the post-secondary system in terms of this issue. You earlier said that you weren't sure, if I remember correctly. What do you see as your responsibility in this area? Is it to maintain the public nature of the system to make sure there is accessibility for students from all walks of life, or is it to also begin to open up the process and begin to open up the system more and more to private businesses to become involved? I just want to have a clearer sense from you on that point.

**Mr Bill Ford:** I think I tried to answer it earlier by saying that I'm sold on the community college system 100%. If privatization is the method or one of the methods the government selects, I would want to make sure that the people who were administering it under the privatization had the proper credentials and were administering it correctly and so on and so forth.



**Mr Parker:** A number of members have touched on the concern, as in fact did you in your answer to my question, that money matters have in the matter of colleges these days. It's very important that the financial matters be managed effectively and efficiently so the students get the best education possible with the resources available.

I understand your background is in accountancy and in finance. I wonder if you can share with us some of your experience in the financial world and how that might apply to your role on the Council of Regents and how that might help assist with meeting some of the challenges that you see ahead for the council.

**Mr Bill Ford:** My understanding, Mr Parker, is that at the present moment the colleges in total have about 500 programs, and the day is fast approaching when the programs will have to be reviewed to see if the 500 are completely necessary. Because of the limited funds, it may be necessary to eliminate some of the programs.

**Mr Parker:** Do you see any scope for finding efficiencies in the system so that we don't have to sacrifice worthy programs, that we can find savings in other areas so that the programs that have value, that are serving the students well, can continue to survive?

**Mr Bill Ford:** I would be opposed to any worthy programs being eliminated. I made reference earlier to fund-raising and so on. This may be one of the ways the colleges have to go, raising extra funds above the government grants and the tuition fees, raising extra money to maintain the courses.

**Mr Parker:** And you've already noted your considerable experience in that particular area with Niagara College, haven't you?

**Mr Bill Ford:** Yes.

**The Vice-Chair:** If there are no other questions, I want to thank you, Mr Ford, for coming before us today. Your being here has been helpful, and we wish you well.

**Mr Bill Ford:** Thank you, sir.

#### MORLEY CARSCALLEN

Review of intended appointment, selected by official opposition party: Morley Carscallen, intended appointee as vice-chair, Ontario Securities Commission.

**The Vice-Chair:** Next we have Mr Carscallen, the intended appointee to the Ontario Securities Commission. Welcome. If you have a few opening comments, please feel comfortable and start whenever.

**Mr Morley Carscallen:** I have a few very brief remarks, Mr Chairman, intended really to explain why I'm here and how I got here.

I have been asked, and have agreed to accept, appointment as a vice-chairman of the commission. I think in some of the material the members have seen, that's referred to as a part-time vice-chairman. It is in fact a full-time appointment.

I am presently a member of the Ontario Securities Commission. I was appointed to the commission in 1992. I'm in my second term as a commissioner, which would in the normal course expire in November 1998.

I was approached last month by the chairman of the commission, Mr Waitzer, who told me that one of the

vice-chairmen of the commission, Joan Smart, had received a very attractive offer from private business and was considering it, and he asked whether, if she decided to accept it, I would be interested in being a vice-chairman in her place. I said that I would. Ms Smart has now accepted that position, left the commission on the first of this month, and that is how I have come forward here.

Before going to the commission in 1992, I was a senior partner of one of the big six accounting firms. I had general management experience with that firm. My primary role was as the senior professional partner, in which I focused on solving professional problems and establishing professional policy and the procedures to apply it. That's sort of a quick general background.

**The Vice-Chair:** Thank you very much. We'll start this round of questioning with the government caucus.

**Mr Steve Gilchrist (Scarborough East):** I guess one of the most bandied-about points of discussion that would apply to the Ontario Securities Commission these last few weeks has been the debate, in large part initiated by our government and, certainly based on what I've read so far, echoed by most of the business community, that there is a considerable disincentive for companies to initiate new floats, to try and raise new capital in this country because of the very convoluted, disjointed system of securities administration where every province basically has some role to play in the overseeing.

Would you support the move, if it were to find favour with the other provinces — do you think there's merit in moving to one national securities commission in order to remove some of these barriers to interprovincial trade and investment?

**Mr Carscallen:** As has been said, if we could start from scratch with a clean slate, no one would design the system we have today. Despite a lot of cooperation among the provinces, a lot of meeting, a lot of effort, it's not the same as a single agency. There's no question that having a sort of multiple jurisdiction securities regulation regime in this country does not make it completely attractive. We've done a lot to reduce the disabilities, but you cannot eliminate them, if for no other reason than that each province has the constitutional responsibility to look after securities regulation and has to exercise that. Therefore, the regulators have to exercise their mandate in each province.

Intuitively, a national securities commission is a clearly preferable route to go. That doesn't mean that it will necessarily be ideal. It will depend on how it's done. The degree to which we improve on the present system will depend on how it's done.

**Mr Douglas B. Ford:** Welcome this afternoon to this committee. You have served the Ontario Securities Commission since 1992. Why have you offered to commit your time to serving another term in this position as vice-chair?

**Mr Carscallen:** I came to the securities commission at the time I retired from the firm I was with because I was asked by the chairman at that time, who was Robert Wright, whether I would come to the commission. I have found being on the commission very interesting; I have found new problems, new perspectives, a lot of very impressive people to deal with. It is a learning process



and I expect it to go on. I have very much enjoyed being a member of the Ontario Securities Commission.

Being on the commission and being the vice-chair of the commission is I think a very worthwhile job. I believe in what the securities commission does. It isn't perfect; no human organization is. But I think it has a very important role to play in the business community and in the economy.

Another factor is that when I left the firm I had been with, I had some other interests going on, consulting businesses and so forth, which had been taking part of my time up to now. Those have been sort of naturally decreasing as I get away from my days as an active day-to-day practitioner. I actually do have more time now to do this than I would have when I joined the commission, so in some ways this timing is fortuitous for me.

1440

**Mr Douglas B. Ford:** Do you see a lot of changes have to be made on the securities commission?

**Mr Carscallen:** Yes, I believe there are changes that should be made. A lot of them are matters of detail. We are working on certain things now. There's a lot going on, and they haven't come to fruition. When I say there are changes should be made, I wouldn't want that interpreted that I see changes that nobody else has seen.

**Mr Smith:** Again, thanks for your presentation and your appearance before the committee today. I wanted to follow up a little bit on the line of questioning my colleague Mr Ford presented to you. You mentioned that the chair of the commission has approached you about the vice-chairmanship, and certainly your involvement with the commission since 1992 is commendable. Do you see any change in the types of skill sets that you'll need to apply on a personal level in the vice-chair's position versus simply as a member or do you see it as a logical continuation of the things you've been doing to date?

**Mr Carscallen:** I hope it's a logical continuation of a personal development, because I think no matter what you go into, you expect to develop personally while you're doing it.

I also assume, having been asked to do it, that the chairman at least thought I had the skill set to do the job. I have considerable relevant experience, not only with the three and a half years with the commission, but I have been involved on a number of international matters, and internationalization is one of the challenges facing the commission and facing all securities regulators, through my connections with my previous firm in which I was involved in international matters very extensively for about 15 years, and also I have represented the Canadian Institute of Chartered Accountants in international affairs. So I have that experience, and my previous experience in public accounting was problem-oriented and policy-oriented, which fits the function of the commission.

**Mr Bert Johnson:** Mr Carscallen, thanks for being here today. What do you see as being the biggest regulatory challenges facing the Ontario Securities Commission in the future?

**Mr Carscallen:** It could be a transition to a national securities commission. Leaving that aside: globalization, which I have mentioned. The markets are global, the transactions are instant, regulators are continually chasing

the latest developments. We have seen the instance, although this wouldn't actually fall within our regulatory sphere, of an employee of an English company located in Singapore bankrupting the company by dealing in securities in Japan. For regulators, that's the sort of thing that's hard to keep up to, so that is one of the big challenges that is going to involve a lot of international coordination.

There's the integration of financial services which is developing in Canada very quickly since the demise of what we refer to as the four pillars, and we have, for example, banks acquiring ownership of securities firms, setting up or acquiring insurance companies, with the idea of offering integrated services. The difficulty there is that we have had separate regulations, and even if we had a single set of regulations, the interests of the regulators are different. The interest of the office of the superintendent of financial institutions, who looks after banks, is insolvency. The interest of securities regulators is in public dealings, protecting the public against improper practices and trying to foster fair securities markets. It's not that one is preferable to the other; they just have a different slant.

**Mr Bert Johnson:** So you would —

**The Acting Chair (Mr Tony Silipo):** Sorry, Mr Johnson, we'll have to leave it at that. We'll move to the Liberal caucus.

**Mr Bartolucci:** Just a few questions. I can't find the material here, otherwise I wouldn't ask it, but you're moving from a \$200-a-day, once-a-week job to a full-time job. What's that full-time job going to pay?

**Mr Carscallen:** About \$125,000 a year; that's the going rate for a vice-chair.

**Mr Bartolucci:** It's a nice going rate. You are retired, you said?

**Mr Carscallen:** I'm not retired in the sense of not doing anything. I've retired from the accounting firm I was with, which was Coopers and Lybrand. For the last three years I have been doing consulting work, primarily for them, and I have been a commissioner, which is not a one-day-a-week thing. It can be every day for five weeks, if you're sitting on a hearing, or it can be half a day every two weeks, if all you do is go to meetings, or it can be a half a day a week every couple of weeks to go and sit on what are called duty panels, which review applications for exemptions from requirements and so forth.

**Mr Bartolucci:** Will your new role as the vice-chair exclude you from doing consulting work in the future?

**Mr Carscallen:** I assumed it would, so I have excluded it.

**Mr Bartolucci:** So this will be your full-time job?

**Mr Carscallen:** This will be my full-time occupation. When Mr Waitzer spoke to me, I said I had some loose ends of consulting work in progress and, depending on when this appointment went through, if it goes through, I might have to finish those up afterwards. He said they would not be a problem. They're fee-for-service and in fact it appears they'll be finished.

**Mr Bartolucci:** As the vice-chair, will you sit on every panel that's convened?



**Mr Carscallen:** No. The panels are made up of three commissioners, ideally, though we have some problems staffing panels right now. They might be chaired by a vice-chair, they might be chaired by a lawyer, and then any two other commissioners. I would expect to sit on probably about the same number of panels I already do.

**Mr Bartolucci:** Just one other, final question: Your role as a vice-chair will obviously be different from your role as a member. How do you see it differing? In other words, what extra duties will you be assigned as a vice-chair?

**Mr Carscallen:** The structure of the commission at the management level is that there's a chair, there are two full-time vice-chairs and there is the executive director, who is the senior staff person. Those four people make up the management group of the commission which meets once a week to discuss what's doing and what should be doing and what the problems are and so forth. They agree among themselves how to divide up what has to be done at the present time.

The chairman usually has broad external responsibilities. The vice-chairs will look after a particular area of activity or ongoing project. The vice-chair who left, Joan Smart, for example, used to be referred to as the "chief justice" because she was the one who shepherded and managed and kept an eye over the hearings process. The other vice-chair, John Geller, is managing a very heavy process on reformulating policies into rules, and he also looks after applications and so forth. Largely because of the time of year and people being away and so forth, we haven't sat down lately and divided it up, but I will take on that sort of responsibility.

1450

**Mr Crozier:** Good afternoon, sir. I just want to clarify something. You mentioned that there are two full-time vice-chairs.

**Mr Carscallen:** There will be if I'm appointed.

**Mr Crozier:** So we're going to move from a full-time vice-chair and a part-time vice-chair to two full-time?

**Mr Carscallen:** No. There were up until the end of June two full-time vice-chairs, a chairman and then a number of part-time commissioners — six, I think.

**Mr Crozier:** That's just a little contrary to the information we have here, but it's nothing, I guess. The full-time vice-chair was Joan Smart and the part-time vice-chair was John Geller.

**Mr Carscallen:** I'm sorry, I didn't know you had that information. I understood you'd been told that I was going to be part-time, and I corrected that, and I would have corrected the other if I had known.

**Mr Crozier:** Okay. That's fine. I just wanted to make sure. You, of course, with your experience on the commission itself, are aware that the commission has in a sense been a profit centre for the government over the years in that it takes in more revenues than the expenditures.

**Mr Carscallen:** I think everybody at the commission is aware of that.

**Mr Crozier:** Would you comment on that?

**Mr Carscallen:** Only to a very limited extent. This arrangement was in place before I became a commissioner. My understanding, and it is nothing more than

that, so it's hearsay, is that there was an agreement with the industry that the fees charged by the commission for filing prospectuses and registering this and that would be increased and the quid pro quo would be better service from the commission, more resources to work with. In fact the increase has not flowed to the commission, and that has continued ever since that arrangement went into place. I cannot say just when it went into place.

**Mr Crozier:** I think it's interesting that we get your comments on that, and very quickly I will point out that in the information given to us by the research officer, in recent years the commission has operated with about 200 staff, which according to Mr Waitzer is about 20% fewer than desirable. It goes on to quote from the 1995 annual report, where the staff were only reviewing about 40% of all long-form prospectuses and 25% were not reviewed at all. Only 30% of documents filed by mutual fund companies were reviewed; 22% received no review at all. None of the short-form prospectuses filed, which are submitted by companies planning to raise additional equity, were fully reviewed, and 88% were not reviewed at all.

Would you comment as to whether you think the public is being protected to the degree that the commission is responsible for, considering those statistics?

**Mr Carscallen:** Yes, I believe it is being protected because we do what we have to do, what has to be done. I'd also comment on those statistics. Those have only come to my attention, or let's say I only really noticed them in the last day or so, and they're the result of two things, not solely of the funding problem, although you could say the other thing may have been influenced by the funding problem. We have adopted two new approaches to this sort of reviewing. First is selective review.

Traditionally at one time the commission reviewed every last document in full. Selective review is a risk-based process. We concentrate on initial public offerings. We concentrate on what are called issue-sensitive things — prospectuses, for example, that contain certain issues — and we try to do the minimum with what are regarded as low risk. Those statistics reflect that progress, as well as something called expedited review, which is worked out with the other provinces.

The idea of that is, for example, if an Alberta business files with the Alberta Securities Commission a prospectus, it also has to presently file it in every jurisdiction across the country in which they want to issue the shares. By agreement among the regulators, the detailed review will be done in Calgary. It will get just a broad-brush review here, and that reduces the amount of effort we have to put in.

I cannot say for certain, but it seems quite logical that a drive to this sort of thing may have been caused by funding problems. It leads you to think about it.

**Mr Crozier:** I have little doubt that you'll —

**The Acting Chair (Mr Rick Bartolucci):** Thanks, Mr Crozier. Can we move to the third party now.

**Mr Crozier:** I was going to congratulate him on his appointment, but that's —

**The Acting Chair:** You can do that after. Mr Silipo.



**Mr Silipo:** It's nice to have an efficient Chair. Mr Carscallen, thank you for being here. A couple of questions. I'll start with what has probably become a standard question for me. It may be less relevant in your case, given that you're already a member of the commission. Are you a member of the Conservative Party?

**Mr Carscallen:** No.

**Mr Silipo:** Are you a member of any political party?

**Mr Carscallen:** No.

**Mr Silipo:** I knew we'd find one sooner or later.

**Mr Baird:** I think your party picked this guy.

**Mr Silipo:** Exactly. We still would have appointed him even if he had been a member of the Conservative Party.

Let me just pursue a couple of questions with you, sir. These are all questions that have been touched on by others of my colleagues here. This question of the potential for a Canadian securities commission, could you talk a little bit more about the constitutional issue, and in your view is that something that is a real barrier to this happening or is it just something that would have to be looked at in terms of addressing that issue? I'm just interested more in terms of, is this move towards a national securities commission a good thing?

**Mr Carscallen:** I will comment with some trepidation, if you bear in mind I'm not a lawyer.

**Mr Silipo:** Yes, that's maybe a good thing. As a lawyer I'll say that to you, sir.

**Mr Carscallen:** My understanding is that mechanisms can be worked out to do this constitutionally. My understanding of the mechanism is that in negotiation among the participating provinces and the federal government, they will come up with a federal securities act based upon the existing provincial acts, which is going to involve a certain amount of compromise and so on. The provinces then will either repeal their acts or enact identical acts and will delegate the administration of the act to the national securities commission or Canadian securities commission. The provinces will not give up their constitutional right to regulate securities matters.

**Mr Silipo:** Okay, that's helpful.

The staffing situation and what that means in terms of what work and what reviews the commission can or cannot do, just some figures which I think you said earlier you had a chance to see — I'm assuming you're referring to those — for example, when we're told that staff at the commission is able to review only about 40% of the prospectuses filed, which as I understand it are submitted by companies selling shares to the public for the first time, and 25% of these were not reviewed at all, and there are other examples in other areas, I think you were addressing this question earlier in terms of a different way the commission is now doing this as opposed to going through each one looking at various issues within that. Is that something that has had to come about as a result of the reduced staffing? What I'm getting at is, to what extent is it a kind of preferred way of doing business, or to what extent has it been brought about because you can't do the preferred route because of the lack of staffing?

**Mr Carscallen:** It's very difficult to say, if you tried to assign the reasoning, as to whether it's 80% this and 20% that and so on. We try to be as efficient as we can,

so there is an incentive and we look at things, and there are other developments coming which I prefer not to talk about that will be efficiency and effectiveness developments. Moves in this direction were probably inevitable. It's part of grappling with the multi-jurisdiction problem, for example, and people saying: "Why are we reviewing yet another prospectus for great big company X, which wants to issue some more bonds? These people have all sorts of information in the marketplace. Why are we wasting time going through this?"

On the other hand, the fact that things are tight would certainly provide an incentive to do it now rather than later.

1500

**Mr Silipo:** Most of the other questions I had have been asked, so I'm not going to repeat them. Given that we have you here, somebody who obviously has got some high level of expertise in this area and your role on the commission for the last number of years, I wonder if we could take advantage of your presence to give the public — because we are being televised — a quick overview of what the commission does.

We all know it as a watchdog in terms of the securities exchange and the stock market, but if you could map out for us, in language as straightforward as possible, the role of the commission and why it's important for this role to continue to be played, whether it's going to be through the present structure or indeed through amalgamation with others across the country, I think that would be useful.

**Mr Carscallen:** The function of the commission — there's two of them and they're set out in the act — is to protect investors from fraud, from improper practices, from unfair practices; to ensure, if you like, ethical, at least legal, activity in the marketplace. That's, in a sense, a law and order issue.

The other is to — I think the act uses the word "foster" — foster fair and efficient capital markets, to avoid regulation that impedes the markets; on the other hand, to strike out at practices that might be regarded as monopolistic or oligopolistic or impeding a fair and efficient market. That can be very difficult, with the technology of today.

The basic ways we do that are through the filings process for public offerings of securities, through insisting on and monitoring that in the words they use in a prospectus there's full, true and plain disclosure and that's there also timely disclosure; and by setting down basic requirements for fitness of people involved in the industry, who have to register with us. This can involve having completed certain courses and having certain experience and so on and so forth. For example, we have a rule that says, "You must deal with your client honestly and fairly," and we have a rule that says, "You must ascertain what the client's best interests are before you act for him."

I could go on for some time on this, but that's essentially the sort of thing we do.

**Mr Silipo:** I appreciate that. Part of the reason I asked you that question was because one of the concerns I've heard expressed with respect to the possibility of us moving towards one national commission is that some-



how there would be a diluting of this overseeing role, this very important role that I believe the commission has served and needs to continue to serve. I don't know if you have any comments on that.

**Mr Carscallen:** I don't believe there will be. In fact, if there was such a likely result, my views of a national securities commission might change. There's certainly no such intent. Now, how well that commission functions can depend on how it's organized. But none of the securities regulators in Canada today have any reason to change from this sort of approach, and they're all similar. It would be just unfortunate, not intentional, if we got away from that sort of thing.

**Mr Silipo:** How would you rate — it's perhaps part of the same question — the stringency, if that's the right word, of the regulations and rules we have in Ontario vis-à-vis those of other provinces, particularly some of the other larger provinces?

**Mr Carscallen:** Substantially the same. You'd have to go into the history of securities regulations, but the acts, for example, are substantially the same.

**Mr Silipo:** It was not an area that when I was in law school I was particularly interested in, but I'm glad there are other people who are interested in it, because it's an important function.

**The Vice-Chair:** I believe we're all done the questioning of Mr Carscallen. We want to thank you for coming today. Your being here has been quite helpful, and we wish you well.

#### KAREN OKELL

Review of intended appointment, selected by third party: Karen Okell, intended appointee as member, Ontario Northland Transportation Commission.

**The Vice-Chair:** The next interview will be for Karen Okell, intended appointee as a member of the Ontario Northland Transportation Commission, called forward by the New Democratic caucus. We will start this round of questioning with the Liberal caucus.

**Mr Parker:** Mr Chairman, I wonder if we could invite her to make an opening comment.

**The Acting Chair (Mr Tony Silipo):** I was going to do that. Ms Okell, welcome to the committee. We've given others and would like to give you an opportunity, if you wish, to make some opening comments.

**Ms Karen Okell:** First of all, I'd like to thank the committee for inviting me here today to go through my qualifications, why I feel I would be a good representative on the commission.

Professionally, I'm a chartered accountant and a certified management accountant, and this is where I feel particularly that I can bring some expertise to the commission. Prior to joining the OPS in 1989 I worked in a public accounting practice. I received my designations midway through my — later in life, let me say, not as a young student out of university. After working in public accounting for several years, I joined the OPS in 1989 with the then Ministry of Correctional Services in the audit branch. Prior to two weeks ago I was an audit manager in the Ministry of Correctional Services and Solicitor General. I resigned about two — well, my last

day was July 5. So I have free time on my hands and I would like to be able to give something back to my community.

I've been active on various boards. Probably the most challenging has been the board of governors of Nipissing University, which I have served for the last two years; I am vice-chair of the finance committee. I've worked on other boards: the Kiwanis Music Festival board; Canadore College, where I serve on a committee on the accounting program. So I feel that at this point I'm very interested in serving on the Ontario Northland Transportation Commission and I invite your questions as to my qualifications.

**The Acting Chair:** Thank you very much. We'll start with the Liberal caucus.

**Mr Bartolucci:** My first question has been answered. When I was reading earlier, I thought there was a conflict of interest here, you being an employee of the Ontario government and then assuming a role as a member on a commission. But you solved that problem; you've resigned. Are you working at other things right now?

**Ms Okell:** Not at the current time. My husband has a retail business and I've sort of let the accounting end of that lag a little, so I expect to spend a day or so a week on that.

**Mr Bartolucci:** Maybe in a very general way, Karen, and we'll get specific maybe later on, can you just give us your views as to what you honestly think the latest changes to the ONTC are? Do you see them as being good? Do you see them as being proactive? Do you see them as being negative? Do you see them as enhancing the north? Do you see them as harming the north? Let's just go from a global point of view as opposed to specifics.

**Ms Okell:** That's a lot of questions all at once. Overall, in the big picture, I see that ONTC has to respond to changes in the 1990s. Funding is an issue. I look on it as a challenge. I think the ONTC has a lot of good business sense. Their telecommunications is certainly a very good area; rail services. There are a lot of areas where I see some valid growth. I see the potential for growth in various areas of their businesses. I think the commitment is to maintain transportation and communication throughout the north, and I see that as an important issue in today's environment. It's not easy with funding cuts and things like that, but I see a positive entrepreneurial spirit in the people I've talked to at ONTC.

Perhaps you can go back to some of your other questions, maybe repeat some of those.

1510

**Mr Bartolucci:** You've, I guess, painted a picture that needs some change, and I think we can all agree with that, but do you also believe at the same time that the Ontario Northland Transportation Commission must serve the needs of the north?

**Ms Okell:** Yes, I believe that is the purpose of it. How it does that, I think there are a lot of various ways that that can be done. I'm not probably as familiar now as I would be should I be appointed to the board. I think there's a lot to learn. My expertise is the financial part of it. Fiscal responsibility needs to be traded off against service to the community, the best service that we can give.



**Mr Bartolucci:** Do you think that's happening now with regard to air service?

**Ms Okell:** I don't think I'm really in a position to answer that question. I really don't, because I'm not — I've done some reading. I understand that the communities, that there is service, there will be service provided. There was some service cut off temporarily, but the service will be provided. I understand that the minister has made a commitment.

**Mr Bartolucci:** Do you realize or are you aware that there are several communities in northern Ontario with no service, no air service?

**Ms Okell:** It's my understanding that there is a commitment that there will be air service, and some of it will be through subsidy and some through private service.

**Mr Bartolucci:** Do you feel that the cancelling of norOntair was the proper political move for this government?

**Ms Okell:** I don't think I'm in a position to answer that.

**Mr Bartolucci:** Give me your opinion, Karen; just your opinion.

**Ms Okell:** I'm an accountant. I'm a very conservative person.

**Mr Bartolucci:** That's fine. Just your opinion.

**Ms Okell:** I don't really know all the details to be able to make a good opinion on it. I would hope to know a little bit more about it and certainly participate in any decisions that are made in the future from a board perspective.

**Mr Bartolucci:** You are familiar then that some private carriers moved into some of these more isolated communities and tried for a while and found out that it wasn't fiscally viable for them to continue, so they decided to opt out of that service, leaving those communities without service. Do you think the government has a responsibility then to provide, as they had in the past, air service to those communities that effectively have no air service now?

**Ms Okell:** I don't really think that I can give an opinion at this point. I'd like to look into it and certainly I would like to find out all the facts. I've lived in northern communities, I've lived in Red Lake, and I know the situation where at different times there hasn't been air service provided, and I understand from the point of view of the communities.

**Mr Bartolucci:** Maybe let's attack it from a different point of view. What do you feel the commitment of the Ministry of Northern Development is to the people of northern Ontario?

**Ms Okell:** I think it's to provide efficient transportation and communications services or see that it becomes provided. I don't think it necessarily means ONTC has to provide it itself.

**Mr Bartolucci:** But to provide some service?

**Ms Okell:** I would think so.

**Mr Bartolucci:** In some instances then, Karen, will it mean that this government will have to subsidize those services with —

**Ms Okell:** I really couldn't say at this point. I'm sorry.

**Mr Bartolucci:** Then, as a member of the Ontario Northland Transportation Commission, what are your

recommendations going to be to the minister and to the Premier for providing air service to communities in northern Ontario that do not have air service?

**Ms Okell:** Again, without knowing all of the facts, I really can't say at this point. If I serve on the board for a period of time, I would hope to be able to provide a better opinion, but at this point I don't feel I am in a position to do that.

**Mr Bartolucci:** You have no unique ideas? Certainly you do. I don't mean to be condescending, because that's not the purpose of the question. You obviously bring some expertise, you obviously bring a background to the commission. Give us some of your unique approaches or ideas that you're going to suggest to the transportation commission to provide services in northern Ontario, in particular isolated northern Ontario communications. I think it's a fair question.

**Ms Okell:** Definitely, the ONTC's purpose is to see that there is an efficient transportation and communication system. After having reviewed the situation and served on the board for a period of time and found out a little more about it, I would certainly have an opinion at that point. I've found from my own experience in the ministry I worked in that we found numerous ways of coming up with better, efficient ways of doing things. I think it's an opportunity to try to find new ways. Certainly people at ONTC seem quite positive about trying to maintain services in the north. To me the north is very important. I moved to Red Lake in the far northwestern corner in 1972 for two years and am still in the north 25 years later. I like it and I'm very committed to ensuring that there are services there. It's a unique area of the province and I will certainly do whatever I can to ensure a healthy economic situation.

**Mr Bartolucci:** Would doing everything you could include suggesting to the minister that they return norOntair to service for and in northern Ontario?

**Ms Okell:** I couldn't commit to anything like that.

**Mr Bartolucci:** How would you answer a person in Geraldton or Elliot Lake who says: "My air transportation to a medical centre in Sudbury or in the south is no longer present. How am I to get that type of service"? What would your answer be to those people?

**Ms Okell:** Today, I'm sorry, I'm not in a position to answer that type of question. Down the road, hopefully, yes.

**Mr Tony Martin (Sault Ste Marie):** Thank you for coming today. You're being appointed to a board that anybody who has any concern or interest or strong feeling about the north must have some interest in, because anything we do in the north, whether it's economic development or in terms of health care or recreation, whatever, is predicated almost always on having good transportation available, the best of transportation. It seems to me that in the world we live in we need to be, as people, as communities, as organizations, as government, enhancing that as opposed to tearing it apart.

That's where I want to come to with you in the line of questioning I will go at here, and I hope you can answer my questions. I noticed earlier today that there were a couple of people who came before us who didn't answer a lot of questions on the grounds that they hadn't been



appointed yet and therefore didn't know anything and therefore couldn't respond. It becomes a bit frustrating at this level, trying to make decisions about whether people will be good or not if those people haven't responded in some significant way to indicate to us that they understand what it is they're being appointed to, that they understand the challenges that will face them when they are appointed and to get some idea of the approach they will take in trying to fulfil those duties.

The first question I have is, are you a member of the Progressive Conservative Party?

**Ms Okell:** I am not really sure if I am. I have been.  
1520

**Mr Martin:** You have been?

**Ms Okell:** And I have also been a member of the Liberal Party.

**Mr Martin:** Are you supportive of the present agenda of the government of Ontario?

**Ms Okell:** Yes, I am.

**Mr Martin:** You are. Okay, so you're supportive of the raft of cuts that we've seen to services and communities and organizations across —

*Interjections.*

**The Acting Chair:** All right. You'll get your turn.

**Mr Martin:** — northern Ontario and to communities like North Bay and Sault Ste Marie and Timmins? You're supportive of those cuts?

**Ms Okell:** I think government does have to do a lot of cutbacks, unfortunately. I think our situation is that we have overspent tremendously and it's unfortunate we're in this situation. I think it's like any household. We have to do it. It's not easy and certainly, as far as northern Ontario is concerned, I'm very concerned for northern Ontario. I would hope that the best decisions are made and that's precisely one of the reasons I'm interested in an appointment to this board.

**Mr Martin:** So if it came a choice on the board between representing what you sense and know from living and working and interacting with people who do that as well in the north, that what this government is doing is in fact detrimental to the long-term viability of that part of the province, in contrast with what the government has proposed to do, what side of the fence would you come down on?

**Ms Okell:** I'm just not sure — your question is, would I —

**Mr Martin:** If it became obvious to you that what the government is proposing to do is in direct contrast to what you feel in yourself and the community that you live in and the people you operate with is in conflict —

**Ms Okell:** If it became in conflict?

**Mr Martin:** Yes, what side of the fence would you be on?

**Ms Okell:** I would have to follow my own sense of integrity, what I feel is good for the north and for the long term.

**Mr Martin:** Okay. You've heard mention by Mr Bartolucci that a decision was made by ONTC to privatize norOntair and the resultant consequence of that is there are a number of communities which no longer have air service. There are communities which do have air service, but it's really inconvenient and sort of a

hodgepodge. In this day and age, when air service is so absolutely essential because of the time constraints that people have in doing business, or whether it's for health care as we become more and more dependent on regional centres as opposed to each community having a critical mass of service to offer — with that in mind and that scenario that's unfolding, what will be your position? What would your position on that be if those decisions were to be made today?

**Ms Okell:** The decisions to —

**Mr Martin:** To privatize norOntair.

**Ms Okell:** To privatize. Well, again, I would have to understand the situation a lot more than I do today. The decision was made, I believe, back — it is my understanding it was terminated in March and the private sector has taken over some of the runs. Again, I would have to know a lot more about it than I do today to make a value judgement.

**Mr Martin:** Okay. But if it turned out that's the record of this government in dealing with transportation as it impacts all of northern Ontario, how comfortable would you feel in continuing down that road, given that, as I've said — and quoting somebody out of the minister's office in the newspaper article in my community last week, it's beginning to cost more now to subsidize the private sector than it in fact did to subsidize norOntair, to provide air service in northern Ontario. Does that indicate anything to you re the direction this government is going in?

**Ms Okell :** Well, I don't think people would privatize for the sake of privatizing. We've looked at that situation in our own ministry and —

**Mr Martin:** But the reality is — as I said, there's a quote in our paper from one of the ministry officials that it is beginning to cost more under the new scheme, the new privatized scheme, than it did to subsidize the norOntair operation. Does that make any sense to you?

**Ms Okell:** If that were true, you would want to question that, definitely.

**Mr Martin:** The other comment was that we weren't comparing apples to apples. I'd like to know just exactly what that meant. Perhaps it should be somebody else in that chair today; it would be interesting, if they were, to have them respond to some of those questions.

But this is where we're going. There are things beginning to happen on the ONTC board that really concern us. Perhaps some response from you — for example, there was a labour appointee to the ONTC. There no longer is. What's your position on that? Do you think it's important that somebody who works for ONTC who can bring that perspective to the board has a position and is able to participate in a meaningful way re the development of that organization?

**Ms Okell:** I hadn't really thought of that. I don't know the makeup of the board. I basically applied because of my financial background and my audit background and felt that was something I could bring to the board. As to the other components, I really can't say, but it's certainly something to think about.

**Mr Martin:** What's your position on, for example, the fact that Sharon Lenore Hacio from Thunder Bay was appointed to the board; that because of the privatizing of



norOntair there are no longer any services to north-western Ontario, yet there's still somebody from north-western Ontario on that board? Does that create any concern for you at all?

**Ms Okell:** Because there is someone on the board from —

**Mr Martin:** Yes, the ONTC has no more —

**Ms Okell:** No service into Thunder Bay? But there is air service in Thunder Bay.

**Mr Martin:** Yes.

**Ms Okell:** And you're saying, would I question why she is on the board?

**Mr Martin:** Yes.

**Ms Okell:** I'm afraid, as I said before, I don't really know the makeup, the constituents, of the board at this point.

**Mr Martin:** Or the fact that the Mattawa appointee, Vala Monestine Belter, happens to be the sister-in-law of Cindy Boston, the manager of administration and development at ONTC in North Bay, and somebody who, according to our research, contributed money to the Nipissing PC riding association last year. Does that cause you any concern at all, run up any red flags for you?

**Ms Okell:** Again, I don't know Ms Monestine. I'm afraid I don't know her qualifications.

**Mr Martin:** It doesn't speak to you at all or give you any concern that really what we have here now, more and more, is a board that's going to do the bidding of this government, regardless of the impact on northern Ontario? We have yet to see any impact statement, any business plan at all that speaks to the long-term involvement of ONTC in northern Ontario and what they see as the eventual outcome, the diminishing of the services they were put in place to deliver in the first place.

The only light at the end of the tunnel here is that we've had a couple of people come before us, like you, who are being appointed to the ONTC, who say that at the end of the day, given a choice between acting in the best interests of the north as opposed to ramming the agenda of this government forward and the diminishing of service that means for all of us who live and work up there, you will act out of your own integrity in the best interests of the people you live among. Do you have any concern that, for example, there is no business plan, no long-term impact analysis re the privatizing of norOntair, and the fact that everything we predicted would come true three or four months ago re that whole question is now beginning to come true?

**Ms Okell:** I would be quite surprised if there isn't a long-term business case and that this isn't looked at again at some future point. I think it's quite important that this happens.

**The Acting Chair:** Mr Martin, we're going to have to leave — sorry. You can finish, Ms Okell.

**Ms Okell:** I was just going to say that as a member of the commission I would certainly want that to happen.

**The Acting Chair:** We'll move to the government caucus.

1530

**Mr Gilchrist:** Thank you, Ms Okell, for coming before us here today. It's always a pleasure to meet prospective appointees. I don't want to dwell on

norOntair, I want to talk more about financial issues, but you mentioned in one of your responses that you were somewhat hamstrung in being able to deal with the questions from both the opposition parties. Just for your edification, it was a business that was doing \$6.5 million in revenue but we were spending \$13 million to do it, so I think your response that ONTC should be gearing its attentions to efficient transportation and communications systems is right on the mark.

To the question what do you say to someone from Geraldton or Elliot Lake who may now have somewhat greater difficulty getting to Sudbury, well, to every one of the communities in the north of 15,000 people or fewer who might face that situation, you might ask those people why the people in Owen Sound and Trenton and Peterborough and Barrie and Muskoka, all areas of 50,000 population or more that never had subsidized air service, weren't given that same largess by the previous government.

But I said I want to deal with financial issues. Since the best interests of northern taxpayers are no different than the interests of all Ontario taxpayers — efficient government and doing better with less — what do you believe you have to offer to the ONTC in the way of a financial and auditing background as they move forward to deliver efficient service?

**Ms Okell:** I think probably in my most recent working in the audit branch as an audit manager in the Ministry of Solicitor General and Correctional Services, we've gone through a period of looking at our own audits and how we can provide better, more efficient audit service and also how different branches of our ministry are accountable and how they can use their funding more efficiently. We all know there's a lot more need out there than there is funding. That's the fact of the matter today. We have to do more with less.

I've just gone through a period of working with a particular area where we think we've gained some efficiencies and it appears to be working well and it has been a good experience for all the people concerned. I think it's doable. I'm quite optimistic. Putting more money at something is now always the answer for things. I think we're finding that out. We spend a lot of money in this province. We just have to spend it better.

**Mr Gilchrist:** Thank you, Ms Okell, I agree with you and I'm sure the remaining businesses of ONTC, which by and large all have the potential to break even or make a profit, will benefit from improved financial and fiscal experience on the board.

**Mr Douglas B. Ford:** Ms Okell, why have you agreed to serve on the Ontario Northland Transportation Commission? And I'd like to reply to our friend across the floor that this government returned to the Northern Ontario Heritage Fund about \$100 million plus interest, which was taken away by the previous government. Anyways, that is the question I have.

**Mr Tony Martin:** On a point of order, Mr Chair.

**The Acting Chair:** There's a point of order which I have to take, but perhaps it might help if we stayed on topic.

**Mr Martin:** Just to clarify for the member, it was \$60 million.



**Mr Douglas B. Ford:** Well, \$60 million.

**Mr Martin:** They've been in power now for over a year and they haven't spent a penny out of that fund, so it really —

**Mr Douglas B. Ford:** It's a fund that was missing.

**The Acting Chair:** All right, if we could deal with questions to the witness on her appointment, we may get along a little bit further here. Mr Ford, go ahead.

*Interjection.*

**Mr Baird:** You're on weak ground there.

**Mr Douglas B. Ford:** We're on a little political debating back and forth here, so what they give, we give, and what we take, we give. Anyways, that's the question. Why have you agreed to serve on the Ontario Northland Transportation Commission?

**Ms Okell:** Basically, one of my professional colleagues had suggested that there probably is a need for a person with a financial background and would I be interested in putting my name forward, so I did.

I've been working on the university board for the last two years and I found it very interesting, and to be able to contribute something back to your community is very good. North Bay has been very good to me, northern Ontario's been good to me, and I find now I have some time and I would like to do some work for my community. I think you'll find most accountants are generally approached to serve on boards because there is that expertise needed. I find most accountants are also very community-spirited and are very busy. Are you an accountant? There is a demand for it.

**Mr Douglas B. Ford:** With your accounting background I believe you'll keep the train on the track, so to speak, and find the deficiencies. Thank you.

**Mr Parker:** You responded to a few questions opposite with the answer essentially that you'll wait to consult the facts before you form an opinion, and there was some surprise expressed at that response. I personally find it a very refreshing attitude and think that's an appropriate attitude for a prospective commissioner, so I welcome that approach and urge you to continue to have that view as you approach the issues that face you.

My question to you is a simple one. Maybe it draws on the comment that there will be a great deal of homework involved in this job, that there will be a great deal of fact-finding and understanding of issues involved as you take on the role as a member of the commission. I just wonder if you have any thoughts yourself, any impression as to how much time that will take, how much time out of your day will be represented by this position. Do you have the time to commit to it?

**Ms Okell:** I know there are monthly meetings and there are subcommittee meetings. Everyone is on a subcommittee. Besides that, just going on my university commitment I'm finding it's probably at least a day a week, sometimes two, sometimes three, plus other times when you're in different situations — I'm on a personnel committee as well — they can involve long hours rather sporadically. Do I have the time to commit? I do. I'm looking forward to it. As I say, I will only be working part-time, probably a day a week, so yes, I do have the time. My children have grown and left home. When you don't have your children around you have a lot more time on your hands too. I would be looking forward to it.

**Ms Isabel Bassett (St Andrew-St Patrick):** Just a short question: It seems that you've got great experience in accounting and auditing and you've served on the university board. How do you feel that your community involvement has put you in touch or will allow you to represent the views of the community?

**Ms Okell:** Basically just serving on various committees. I'm also a member of the Kiwanis Club, which is a very community-spirited organization. We do a lot of different works, fund-raising and projects around the community. I've lived in North Bay for 18 years, in the north for 25 years.

**Ms Bassett:** Do you feel that your views represent a large segment of the population in the north?

**Ms Okell:** I think they represent a large view, and I am fairly open to other opinions. I think I'm a fairly approachable, open type of person and listen to both sides.

**The Acting Chair:** Other questions? No? Okay. That concludes our time with you, Ms Okell. Thank you for being with us.

**Ms Okell:** Thank you for the time.

**The Acting Chair:** No doubt your participation here will help the committee members come to a decision.

We move now to the decisions on the three. Could I just suggest, in order to facilitate things between Mr Martin and myself, if we begin with the last —

**Mr Baird:** Could I ask for a five- or 10-minute recess so that we may caucus?

**The Acting Chair:** Is that agreeable to the committee? Five minutes?

**Mr Baird:** Five minutes should do.

**The Acting Chair:** We'll recess for five minutes.

*The committee recessed from 1539 to 1545.*

**The Acting Chair:** Could I just call the committee back to order. I was suggesting earlier, just to facilitate things between Mr Martin and myself in terms of having the same people voting as the ones who were involved in asking the questions, that we could begin with the last one first, and then I'll relinquish the chair after that. Is there a motion relating to Ms Okell?

**Mr Bert Johnson:** No. I wanted to start at the first and go first.

**Ms Bassett:** Aren't we going to do the last first?

**The Acting Chair:** Yes. If we could do that, I would appreciate it.

**Ms Bassett:** All right, Mr Chair. I move concurrence on the appointment of Karen Okell to the Ontario Northland Transportation Commission.

**The Acting Chair:** Is there any discussion?

**Mr Martin:** I just have a real concern for the impact of decisions that are being made by your government, in all sincerity and honesty, that are going to have long-term ramifications for the part of this province that I live in, which contributes significantly to the overall economy of Ontario by way of the resources that are up there, that we who live up there are, and the diminishing of our ability to do that in a way that maximizes the potential for us to create a standard of living and a quality of life that equals that of the rest of the province, and also our ability to move around up there.



In this day and age I think it's not unrealistic to expect that we would have the best of roads, and we don't have that any more. There was the release of a document this week that shows a further diminishing of the road maintenance function by way of the closing of yards and centralizing them — one of them, just out of interest, in the Premier's home riding. It's something that is becoming more and more common as the whole of northern Ontario is cannibalized in order to prop up the Premier's home riding, but all of it diminishing the effort that has been made by previous governments over a number of years to make sure that, if nothing else, we had the best of transportation opportunity available to us.

Air service: We no longer have air service like we had six months ago in the north. As a matter of fact, getting off a plane about two or three weeks ago in Sault Ste Marie, a fellow I know who travels extensively in the north says that air service in northern Ontario is now back to what it was in the 1950s and 1960s. It's just not dependable and in some instances there's some question about the safety.

I was talking about roads a few minutes ago. This past winter we saw the reduction of road maintenance. We have never in our history seen the highways in the north closed as many times by way of response to difficult weather conditions. When you close the highways down you stop us from being able, in a very fundamental and basic way, to get people to hospitals; bring home recreation teams, sports teams that are out visiting, playing sports in other areas; deliver our product to market; or get stuff back from southern Ontario that we need should a mill or a plant be shut down. It just has devastating impacts, effects. An hour, a day, a week of shutdown, of not being able to get from here to there, is as destructive to us as it is to any of the communities and operations in southern Ontario.

The diminishing of our ability in the north to get around, whether by air or by road — and we're not sure yet what the train situation is going to be. There is no long-term plan out there. There is no business plan put out by this corporation on behalf of the government to tell us what it is they have in mind for rail service in the north, so we don't know what to expect. We don't know what morning we will wake up to another announcement that tells us that ONTC rail service has now been cut, that we can no longer subsidize it because it's part of the Common Sense Revolution to do more with less or better with less or whatever the statement of the day happens to be.

It's with that in mind that when I see somebody come before us who obviously is a qualified person, probably very caring and concerned, but who admits to being a member of the Progressive Conservative Party and supports the agenda of this government in the way that she does, and then that I would approve the appointment of her to a committee that has such fundamental importance to everything that we do in the north, I just can't find it within me to support that appointment, and so I will be in this instance voting against it.

**Mr Bartolucci:** I, too, will be voting against it, because as nice a person as Ms Okell probably is, she certainly didn't bring any unique ideas to the discussion

today; in fact, she didn't even have one solid recommendation to make to this new commission. I'm amazed. Even the ones I haven't supported in the past have at least had some ideas that they wanted to share with the board they were being appointed to.

I guess I'm concerned that that type of appointee is exactly what my concern or what our concern is with regard to the government. Clearly, the understanding that you have concerning northern Ontario is limited, and I understand that the north didn't vote Conservative. They elected Mike Harris in North Bay and that's it. I don't consider Parry Sound northern Ontario. So there really is only one elected PC in northern Ontario and that happens to be the Premier, and he's taking care of his own bailiwick. I don't agree with it, because he's robbing Sudbury of many hundreds of jobs and moving them to North Bay, but he's protecting his own interests, and I'm sure that the electorate by and large, in not only northern Ontario but Ontario, in the next election will ensure that we see him and your government for what it really is. But you clearly, clearly don't have an understanding of northern Ontario.

It disturbs me immensely when I see a member that I respect, Mr Gilchrist, saying there is no difference between an isolated community in northern Ontario and a community such as Peterborough. Northern Ontario comprises 84% of the province's land mass. This 346,000 square miles has only 8% of the population. We do not and we cannot be considered the same as a community such as Chatham or a community such as Peterborough or a community such as Woodstock. It's clearly not rational to draw that type of comparison, and so I'm concerned when I see and hear a government member I respect speaking in those terms.

It shows me that the understanding that we in both opposition parties have harped on since September is really there. We have a minister of northern Ontario — Minister of Northern Development and Mines, but he's the minister of and for northern Ontario — who's outside of northern Ontario, clearly doesn't have a handle on northern Ontario issues, is willing to spend \$500,000 in one year to transport staff from Sudbury to Toronto to give the deputy minister more presence of communication and policy staff in Toronto. That clearly tells me that the minister doesn't have a handle on his ministry, and that concerns me.

I only wish — because she is sincere. She's very sincere, and at no time did I want to be condescending towards her. I think she acts with good intentions, but that originality that's necessary for northern Ontario and for northern Ontarian issues is just not there. I think the dedication is, but with that dedication we would all like to see some concrete ideas so that we can have some solutions to the problems we face in northern Ontario if in fact this government is going to continue to pursue the course it has deemed necessary or applicable to northern Ontario.

I want you to know that I, individually, and I know my caucus and I'm sure the third party, honestly believe that you are devastating the north. When we say that, those aren't just idle words; we firmly believe it, and we firmly believe that you have to change your course. We would

hope you would change your course with appointees who bring some unique perspectives to the table, as opposed to, "I can't comment on that; I don't have any ideas" or "I don't feel comfortable in doing and making recommendations." It's just not what's needed for northern Ontario at this point in time. So I will be voting against it.

**The Acting Chair:** Any further comments on the motion?

**Mr Martin:** Recorded vote, Mr Chair.

**The Acting Chair:** A recorded vote has been requested. We'll proceed to a vote on Ms Bassett's motion to concur in the appointment of Karen Okell to the Ontario Northland Transportation Commission.

#### Ayes

Baird, Bassett, Ford, Gilchrist, Bert Johnson, Parker, Smith.

#### Nays

Bartolucci, Crozier, Martin.

**The Acting Chair:** I declare the motion carried.

**Mr Bert Johnson:** I move concurrence on the appointment of Morley Carscallen to the Ontario Securities Commission.

**The Vice-Chair:** Any comments or observations?

**Mr Parker:** Could I make an amendment to that motion: that we move concurrence to the appointment of Morley Carscallen to the position of vice-chair of the Ontario Securities Commission?

**The Vice-Chair:** Okay? Any comment?

All those in favour of that appointment will so indicate. It's unanimous.

**Mr Bert Johnson:** I'd like to move concurrence of Frederick William Ford as a member of the Ontario Council of Regents for Colleges of Applied Arts and Technology.

**The Vice-Chair:** Any comments or observations people would like to make before we go to a vote on this one?

Seeing none, all those in favour of that appointment will so indicate. All those opposed? The concurrence is carried.

I do believe that's the sum total of our deliberations this afternoon, ladies and gentlemen. We will adjourn and will meet again on August 7. We'll have a brief subcommittee meeting at this time.

*The committee adjourned at 1559.*









## CONTENTS

Wednesday 17 July 1996

<b>Intended appointments</b> .....	A-391
Mr Glen Wright .....	A-391
Mr Keith Norton .....	A-401
Mr Bill Ford .....	A-407
Mr Morley Carscallen .....	A-411
Ms Karen Okell .....	A-415

## STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Martin (Sault Ste Marie ND)

\*Mr Rick Bartolucci (Sudbury L)

\*Mr Bruce Crozier (Essex South / -Sud L)

Mr Ed Doyle (Wentworth East / -Est PC)

\*Mr Douglas B. Ford (Etobicoke-Humber PC)

Mr Gary Fox (Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud PC)

Mr Michael Gravelle (Port Arthur L)

\*Mr Bert Johnson (Perth PC)

Mr Peter Kormos (Welland-Thorold ND)

Mr Floyd Laughren (Nickel Belt ND)

Mr Gary L. Leadston (Kitchener-Wilmot PC)

\*Mr Tony Martin (Sault Ste Marie ND)

Mr Dan Newman (Scarborough Centre / -Centre PC)

Mr Peter L. Preston (Brant-Haldimand PC)

Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

### **Substitutions present / Membres remplaçants présents:**

Mr John L. Parker (York East / -Est PC) for Mr Doyle

Mrs Janet Ecker (Durham West / -Ouest PC) for Mr Fox

Mr Tony Silipo (Dovercourt ND) for Mr Laughren

Mr Bruce Smith (Middlesex PC) for Mr Leadston

Mr Tony Clement (Brampton South / -Sud PC) for Mr Newman (*morning sitting*)

Mr Steve Gilchrist (Scarborough East / -Est PC) for Mr Newman (*afternoon sitting*)

Ms Isabel Bassett (St Andrew-St Patrick PC) for Mr Preston

Mr John R. Baird (Nepean PC) for Mr Wood

### **Also taking part / Autre participants et participantes:**

Mr Dwight Duncan (Windsor-Walkerville L)

**Clerk / Greffier:** Mr Todd Decker

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service



A-25

A-25

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 7 August 1996

# Journal des débats (Hansard)

Mercredi 7 août 1996

Standing committee on  
government agencies

Intended appointments



Comité permanent des  
organismes gouvernementaux

Nominations prévues



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 7 August 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 7 août 1996

*The committee met at 1008 in room 228.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The committee will come to order. We have a fairly complete day ahead of us with a review of appointments. We should start out with the agenda item on the subcommittee report.

**Mr Bruce Smith (Middlesex):** I move adoption of the subcommittee report.

**The Chair:** The adoption of the report has been moved. All in favour? Opposed? It's carried. Thank you for that, Mr Smith.

## INTENDED APPOINTMENTS

## ROGER HIGGIN

Review of intended appointment, selected by third party: Roger Higgin, intended appointee as member, Ontario Energy Board.

**The Chair:** The next item of business is the intended appointment of Mr Roger Higgin to the Ontario Energy Board. Mr Higgin, if you would take a seat. I know you're not unfamiliar with this room. The committee is pleased that you're here this morning. We welcome you here.

**Dr Roger Higgin:** Thank you, Mr Chairman. I did prepare a short opening statement, and if it would be appropriate, I'd like to read that. I believe members have been provided with copies.

Mr Chairman, members of the committee, it's an honour to be the Premier's nominee for appointment to the Ontario Energy Board. I welcome the opportunity to review my qualifications with you. I'm going to start with a quick summary of my background and relevant experience and then address the qualities that a board member requires and why I have both the desire and capability to fill this important position.

As my résumé indicates, I'm a professional engineer with a doctorate in chemical engineering and specializing in field technology and combustion. I also hold a Master of Business Administration and I have almost 30 years of work experience in the public and private sectors in the energy and environment fields.

For the last 10 years I've held a number of senior-level policy and program positions in the Ontario government, in a municipal government and in the private sector. I'd just like to highlight a few of my achievements from the Ontario government days.

I served in many environmental and energy positions with the ministries of environment and energy — they

were then separate ministries — ranging from district officer, secretary of the lead task force here in Toronto, head of special studies with the air resources branch, and between 1984 and 1988 I was responsible for implementing the Energy Efficiency Act and a comprehensive portfolio of energy efficiency programs as assistant deputy minister in charge of Ontario's renewable energy and conservation programs division. I was also for a time president of Ontario Energy Ventures Ltd, which was the Ontario Energy Corp's alternative energy investment company. After leaving the government in 1991 I was appointed to be chair of the energy and minerals task force of the Ontario Round Table on Environment and Economy.

During my period as a full-time member of the Ontario Energy Board, which was a secondment from the ministry, between 1988 and 1991 I participated both as a panel member and as a presiding member in the whole range of proceedings before the board, including Ontario Hydro rate reviews, major gas rate cases, facilities hearings and permitting under the Petroleum Resources Act. I think I still hold the record for the fastest gas rate decision on record.

Since leaving the provincial service five years ago I've been active in the energy and environment sectors, as you see. I did a short stint as deputy commissioner of environmental services at the city of Toronto and then was hired to restructure the Canadian Gas Research Institute in Don Mills and also set up a national cooperative research and development program for the gas industry which came to be Gas Technology Canada.

I am currently responsible for a small entrepreneurial business which is now making a major transition from an R&D company to a high-technology environmental instrumentation company which manufactures and markets its products worldwide.

I'm a very results-oriented, hands-on, self-motivated person. I routinely do all my own financial analyses, spreadsheets, graphs and reports. I work long hours to ensure that external or self-imposed deadlines are met. I've also learned through the years the importance of teamwork to getting projects finished on time and budget and I work hard at listening to and communicating with my colleagues.

My background and experience I think have given me a set of technical, financial and policy analysis skills and a variety of perspectives which I believe will make me a useful and valuable member of the Ontario Energy Board.

In my experience, some of the most important qualities of a board member in adjudicating a case are the ability to listen with an open mind to the positions of the parties before the proceeding, to set aside any biases or precon-



ceived notions you may have and to carefully and analytically review the evidence presented.

In rendering a decision, the panel as a whole will bring its collective expertise and wisdom to the complex interwoven issues before them and, while mindful of precedent, will also move the yardsticks forward based on new evidence and insights provided to them.

Although it's now five years since I was last on the front line of Ontario energy policy, with my experience I believe I can soon become knowledgeable on the issues currently facing the regulated energy sector in the province and the policy issues which the government may refer to the board.

As an energy customer I'm well aware that greater competition through deregulation of the electricity and gas sectors is a priority as a means to enhance their competitiveness in the North American world energy markets. As part of the small business sector currently, I know how tough it is to compete internationally. Success comes from being competitive in every aspect of our operations.

Having been a board member through the first wave of deregulation of the gas industry, I'm also well aware that deregulation is a complex process that requires a very careful approach to the balancing of the various stakeholder interests, not least of course the long-term interests of Ontario energy consumers and our environment.

I thrive on challenges and I find the complex mix of policy, statutory, socioeconomic, financial and technical issues involved in deregulation, or some would say regulation, of Ontario's energy sector to be very stimulating. Some people may find that surprising. I also am very mindful of the responsibility and public trust which a board appointment carries. Having already participated in and presided over every type of proceeding before the energy board, I believe my learning curve will be short, allowing me to contribute quickly to the important work of the board.

In summary, Mr Chairman and members of the committee, I'll reiterate that I like the work, I believe I'm good at it and I look forward enthusiastically to my appointment to the Ontario Energy Board if my appointment is confirmed. Thank you, Mr Chairman.

**The Chair:** Thank you, Mr Higgin. We have a policy of allowing each party to ask you questions. We'll start with the government members, who have about three minutes.

**Mr Bob Wood (London South):** Do you think there's any justification to regulate price where there's effective price competition?

**Dr Higgin:** It depends on the word "effective" in price competition. If there is a really open market, a proper market where there are willing buyers and sellers and a means to transact the transactions between those that's open, then I think that price regulation per se may become unnecessary and redundant, once there is a truly open market.

**Mr Bob Wood:** In what areas do you think effective price competition is impossible in the gas industry?

**Dr Higgin:** As we know, it's been 10 years since the initial start of deregulation in the gas industry, which

started with the deregulation of the transmission pipeline system. Right now there is a market for that commodity, "commodity" meaning the natural gas itself, and that market is reflected in the fact that there are many sellers and many buyers and also in the fact that there is a futures market, which is an indication rather of the maturity of the market for the commodity, natural gas. However, there are many other aspects to natural gas related to providing the total service, the transportation of the gas, and all those are things in which perhaps there is still not competition; there is no competition.

There are a number of natural monopolies that are in place and so the question of price regulation, coming back to your question, is one that I believe over time will evolve as the market develops and matures. I believe that the board will adapt to the marketplace conditions within the terms of its legislation.

**Mr Peter L. Preston (Brant-Haldimand):** I had a number of questions for Mr Higgin, but you very ably answered them in your opening remarks, so it would be redundant of me to ask them. Welcome here.

**Mr Douglas B. Ford (Etobicoke-Humber):** I have one question. The Ontario Energy Board reviews matters relating to Ontario Hydro. Could you tell the committee about the experience that qualifies you for dealing with these matters as a member of the board?

**Dr Higgin:** First of all, I believe I have a good understanding of the structure of the electric industry, if one can term it an industry, in the province, and that relates to both the physical infrastructure and to the financial and policy infrastructure that supports the electric industry. That basic understanding I believe is very valuable to being able to review matters related to Ontario Hydro, whether it be rates or other matters referred by the minister.

I also have had some experience in rate reviews when I was with the board. In fact, I presided over one of the main rate review hearings and also over a special study on the net income policy of Ontario Hydro. I wouldn't claim that any of these experiences would make me what I would call an expert in the current situation we find ourselves in with respect to electricity in this province. I'm the first to realize that I do have things I have to learn to update my knowhow about those matters before I can really become once again a valuable person to the board and participate in hearings.

**The Chair:** We've gone somewhat over the time so I think we'd better move on. The time of the witness and the government is rolled together. We move to the official opposition.

**Mr Rick Bartolucci (Sudbury):** I'd like to welcome you here this morning, doctor. I just want to comment on your opening statement. I've sat here now for around a year and this is the best-organized and best-delivered opening statement I have heard from any nominee. It outlines quite honestly, and without political preference at all, and I want to commend you on that. Obviously, your résumé shows your intense quality in qualifications and you will be an excellent reappointee to the energy board. What do you think is the biggest challenge you will face as a returning member to the board?



1020

**Dr Higgin:** I think that relates to the pace of deregulation of the gas sector and also the restructuring from a business point of view, and also to the fact that there is on the public policy agenda the issue of the structuring and restructuring of the electricity sector in the province. Both of those will be big challenges, because my experience in the deregulation process is that it's always a flawed process in that you have to move incrementally. Although the long term creates the level playing field, you can't honestly say that at every stage in the process the playing field is level. It tends to be winners and losers as you go through the process of deregulation. That was the case in the gas industry and it would probably be the case also if the decision is to move ahead with further deregulation, opening up the electricity market.

I think the biggest challenge for the board will be dealing with the ongoing deregulation, the business restructuring which is happening right now in the gas industry, the reintegration, as I might call it, from producer right through to transmission company to distribution to service companies, and the possibility of lateral moves by those industries into other utility functions through diversification. Those are going to be very big challenges, to ensure the process goes ahead at a pace which will make sure that the consumers of energy in Ontario are well served and that there aren't any undue additional impacts due to those processes on the environment.

**Mr Bartolucci:** I'm not going to ask you whether you're in favour of or opposed to deregulation, nor am I going to ask you what your political preference is. But what I'm going to ask is — and with your wealth of experience I think it's a fair question, but if it isn't, just say you don't feel comfortable answering and that'll be fine with me — if you had some advice to offer the government with regard to the pace of deregulation, not only within the energy sector but in the entire Ministry of Environment and Energy, what advice would you give to the minister and to the ministry?

**Dr Higgin:** I'm not really knowledgeable enough to comment in the broad context of deregulation. I would perhaps make a comment similar to the one I made previously about the energy sector only, because I must say I don't have the breadth of experience to comment intelligently.

The important thing is to try to design a process and have the end point always in mind. Whatever the end objective from a public policy point of view, the government has decided always to have the end point in mind and then to design a process which is effective and efficient to move stepwise to that.

As I said before, one of the big challenges in such a process is how to avoid winners and losers, both in the business sector and in the public sector and public interest groups, how to avoid or minimize that during the process.

Both in my public life and also in my business life I tend not to be the quick-change artist. I'm not a quick-change artist. In the company I'm with now there would have been several ways in which we could have made the transition from an R and D company into what we're trying to be. I prefer the slow, gradual change process

because I think people adapt better to that and things tend to be less disrupted and disjointed. So it would be to design a process and then to keep the end point in mind, not be deterred from that, but then to move cautiously, gradually and in a fair and equitable way.

**Mr Bartolucci:** Thank you very much, doctor. Good luck.

**Mr Michael Gravelle (Port Arthur):** I share Mr Bartolucci's enthusiasm for the qualities of Dr Higgin and I'm sure you'll be an excellent returning member, so no more questions from me.

**Mr Tony Martin (Sault Ste Marie):** Thank you for coming before us today. I have a few questions of you. One of them is, are you or have you ever been a member of the Progressive Conservative Party?

**Dr Higgin:** No, I have not, and I'm not a member.

**Mr Martin:** That's refreshing, because it's becoming obvious to us here that 99% of the people who are being appointed these days are or have been.

**Dr Higgin:** I tend to vote with the issues in each election and I've voted all three ways.

**Mr Martin:** That's a healthy —

**Mr Preston:** In the same election?

**Dr Higgin:** No. Unfortunately, they only let you put one thing in the ballot box at a time.

**Mr Martin:** As a matter of fact, after the meeting of July, it wasn't just a question of whether you were a Progressive Conservative or not; it was a question of whether you were on the bus or not with the Premier as he — wasn't it?

**Mr Bartolucci:** It all depends where you sat on the bus.

**Mr Martin:** Oh, where you sat on the bus, that was it.

Are you a supporter of the program this government is laying out for Ontario, the privatization of things that we over the years have determined collectively as government and as people were better left in the public realm, and the diminishing of the role of government in some of the more important organizations and agencies and delivery processes that we've seen as important in the province?

**Dr Higgin:** The only comment I would make in terms of that is that as far as the overall program is concerned, first of all, I'm not familiar with the overall program. I am familiar with some aspects of the program, and again one of the things that happens with any change is that there tends to be also two things happen: There are winners and losers, and secondly, there tends to be a disruption of certain things.

Being a member of the small business sector, for example, although we would all probably agree that the cancellation of some of the government support programs to the small business sector is a good idea in the long term, in the short term it has disrupting effects on some small businesses that have come, perhaps incorrectly, to rely on some of those support programs. I think again it's a case of being conscious of what the impacts of any changes are and to try to minimize the disruption and the negative aspects of change. I think there has been a perception that not this province, but many provinces, have sometimes been overregulated and the balance is the



question the government of the day has to address, and finding that balance is not an easy thing.

**Mr Martin:** I find it interesting that a person of your obvious experience and knowledge, and I was impressed with your résumé and your presentation, would not be aware of the agenda of this government as it was laid out in the election, in the Common Sense Revolution, and as it is beginning to show its face in reality in a little over a year as we've seen the government determined to do what it said it was going to do, and to give it credit for that.

My concern is that a lot of the plans that are being put into place that affect all of us in our daily lives, in our working lives, are not well-thought-out. There's no business plan. You yourself mentioned that you like to focus on the end product, that you're not a quick-change artist, but we have a lot of that going on these days, a lot of quick decisions about things that affect people very directly and in a very negative and difficult way. In my own jurisdiction, for example, where jobs are disappearing just overnight, people aren't sure what they're supposed to do, communities aren't sure what they're supposed to do. This seems to be the plan of this government. As I said, nothing thought out.

1030

In the report of the Macdonald commission, for example, there was no financial information given to justify or support the recommendations he's made re Ontario Hydro. What's your opinion on that? If it turns out that down the road very quickly we discover that this is not in fact in the best interests of Ontario and the people of Ontario, what's your position going to be in this and will you continue to support, as you've said you do, to some degree, the agenda of this government?

**Dr Higgin:** I think the Macdonald report is dealing with perhaps one of the most complex issues in the energy sector and therefore the role that I see myself playing at the Ontario Energy Board will depend strictly on what are the references the Minister may wish to send to the board to take a look at. Our job there would be to do a very professional job in doing those analyses, looking at those impacts, looking at the financial implications of anything that was referred to us. I believe the role of the board, in such a case that the minister decided to refer certain matters related to the electricity sector to the board, is to do that professional homework and to present a fully professional report which deals with all aspects, the socioeconomic aspect not least in terms of the impacts.

**Mr Martin:** What if you find that you just plain don't have enough information and you're being pressured to make a decision, to make a recommendation, to give advice? For example, the Intervenor Funding Project Act, which has been eliminated, gave some resources to some people to come forward and present — you talk about socioeconomic impact — their perspective, the information they've gathered to a board such as the one you're being appointed to as you make very important decisions or make very important recommendations. What if you find out you just don't have enough information? What will you do then?

**Dr Higgin:** In my experience with the board, when the board doesn't have enough information to make a decision, it says so. It would only make recommendations on those things on which it felt it had adequate information and the basis to make a recommendation. If it's a case of a reference, it's a recommendation, or if it's a case that is under its jurisdiction or its statutory authority, a decision. In my experience, I can point to some of the reports I was involved in and also some of the decisions where we simply say we did not have enough information to make a decision or recommendation and basically defer the matter. So again, that would be my view of the way the board would address it if there was inadequate information.

**Mr Martin:** You have to understand we only have a few minutes here today to determine in our own minds whether in fact we can support your appointment to this board or not. I need to know what kind of intestinal fortitude you're going to have re the question of decisions you will make and advice you will give the government around questions of how we regulate and how the issue of power, energy to the people of Ontario gets delivered.

I just need to know if at the end of the day, sometimes a very short day, on a very important issue, you are being forced to make a decision — this government has certainly a track record of making quick decisions, particularly during the summer, about issues that are very important when people aren't looking, aren't paying attention in the way they might at other times of the year — you're asked to give advice, will you stand up and say, "Whoa, this is going too fast; this isn't enough; we don't have enough information here," and run up a red flag for all of us?

You're going to be in a privileged position and have at your access some privileged information and be that watchdog for us if in fact something is happening that's not in our best interests. I need to know. I need to feel comfortable that you will stand up for me in that kind of situation and say, "No, this just isn't good enough." Again, I refer back to the Macdonald commission —

**The Chair:** Perhaps you could wind up.

**Mr Martin:** Okay — which suggested that Ontario Hydro be privatized in many significant ways without the financial information that we need to really make a proper decision about that. Where would you be on that?

**Dr Higgin:** I would respond as follows: Having been through a somewhat analogous — but I think one should caution about drawing too close analogies to the deregulation of the gas industry in the province, remembering that is a 10-year process which is not yet complete, although we've made a tremendous movement towards deregulation and creation of a gas market. I think the board's record on that would say that it was an adequate watchdog for the province and the energy consumers of Ontario and their best interests and that the process that went on, although one could point to some flaws in it sometimes, was one which did serve the people of Ontario and their interests well. I have no reason to believe that the board would not similarly follow a similar process with that objective in mind of serving the people of Ontario.



**The Chair:** Mr Higgin, that's the amount of time we have available to discuss your appointment with you. The process now is that later the committee will debate a number of intended appointments. You are welcome to either stay in the room or take your leave; it's entirely up to you. But thank you for your appearance here and the way in which you've answered questions from committee members. We appreciate it.

#### BOB HOPKINS

Review of intended appointment, selected by third party: Bob Hopkins, intended appointee, Hanover Police Services Board.

**The Chair:** The next intended appointment is Mr Hopkins. Welcome to the committee. You are welcome to make an opening statement, if you wish, or we can proceed directly to the questions. We're in your hands.

**Mr Bob Hopkins:** Good morning, ladies and gentlemen. My name is Bob Hopkins. I'm here before you today to apply for this appointment. I live in the town of Hanover, which is approximately two and a half hours from your great city of Toronto. I've been in business for 28 years. I have been married for 31 years and am still raising four daughters.

I have been a member of different service clubs in the town of Hanover. If I may highlight a wee bit, I've been the president of the Jaycees club for two of my six years in the organization; I was vice-president of the Kinsmen club for four years; I was president of the Hanover Barons hockey club for two years and I also was a member on the board for nine years. With these three positions, I have learned to deal with budgets, but most of all, and the most important thing, I have learned to deal with people. I feel at times listening is the best thing a person can do because you learn.

To sum up, ladies and gentlemen, I talk to many people from day to day in my business on all issues. I learn from these people. I like to think that one of my strong points is my ability to listen and learn. To sum up, I have a lot of respect for the people in my community and our police force. Thank you.

1040

**Mr Preston:** The town council doesn't approve the budget set out by the Hanover Police Services Board. Are you aware of the appeal avenue that can help resolve this issue?

**Mr Hopkins:** Yes, I am, but at the same time, being that I've never been appointed to this board before, when I was talking to the chairperson — I tried to do my homework before I could come here — unfortunately a lot of the information she wouldn't disclose to me because I have not been appointed yet.

**Mr Preston:** Okay, that's understandable. All right. What is your feeling about amalgamation of the current police services with neighbouring communities?

**Mr Hopkins:** Amalgamation is a good avenue to explore as long as it is in the best interests of our community. Where I live we have four towns very close by, Hanover probably being the largest community. I feel amalgamation can work in our four communities providing we can sit down and discuss and come up with a

resolution of what is best for our area, not best for each little town.

**Mr Ford:** What goals do you have in mind for the board if appointed?

**Mr Hopkins:** I cannot really comment on this issue at this given time, but at the same time I think to secure and to continue the kind of policing our town has been used to. I'd like to see that maintained if it's possible financially and otherwise.

**Mr Ford:** What are some of the challenges that face the police in your community?

**Mr Hopkins:** That's a very good question. I think every day is a challenge for any police officer. We're a fairly tight community. I don't know if any of you have been to Hanover. It's beautiful country, a beautiful town. We're very close-knit. I feel that our police services are excellent. I would not like to see that diminish in any way, shape or form. Being a father of four girls, I could let my kids go for a walk morning, noon and night. I don't know if that's possible down here in the big city.

**Mr Ford:** What are the problems they have there right now? Do they have any serious problems?

**Mr Hopkins:** If so, I am not aware of them.

**Mr Ford:** Being a barber, you should be.

**Mr Hopkins:** Well, there are issues that can be discussed and issues —

**Mr Ford:** Pardon my humour, but that's a fact.

**Mr Hopkins:** You do get to learn a lot from different people. At the same time, you've got to try to separate what is truth and what is fiction, and what is one's belief and what's another person's belief. Again, you've got to learn and listen to what people are saying and arrive at a happy medium.

**Mr Ford:** You don't see any outstanding problems there right now?

**Mr Hopkins:** Not to my knowledge, no.

**Mr Bob Wood:** We'll reserve the balance of our time.

**Mr Bartolucci:** Welcome, Mr Hopkins. Let me tell you, if you're the barber in the community, you know everything. There is absolutely no question about that. When I was running during the campaign, I had six barbers who were supporting me actively; the rest of them, with the exception of one, not very actively. I'd just go to those six areas and say, "What are the people feeling in the community?" and they'd tell us. You have a pulse of the community, there's no question.

**Mr Hopkins:** Very much so, a very strong pulse. My question back to you, sir, would be, if you talked to six, which one did you go to for your haircut?

**Mr Bartolucci:** Actually, I will ensure that Ugo the barber knows that you really confirmed that he is the excellence in barbering skills and that you, a fellow barber, were very happy with the way the hair was cut. I would suggest that if that were any different, you should visit Sudbury while I visit Hanover, because I want to find out a little bit more about the policing, and you can find out a little bit more about the barbering skills of the Sudbury barbers.

But let's get serious for a second because there are some very serious issues. Did I hear you say that you are in favour of centralization, that you're in favour of amalgamation of forces?



**Mr Hopkins:** No, that was not what I led the member to believe. Like I said earlier on, I like the police force the way it is. It's served our community very well. They have the respect of everybody plus myself in the community. I think — and this is my own opinion — regardless of whether we put on a suit, whether we put on a uniform of what nature, that doesn't gain you respect. You must earn that every day. With that, I would like to see our municipality's police force stay the way it is. Unfortunately, there are changes happening. Whether we have to go along with those changes I'm not sure, but amalgamation would be one avenue to explore if it came to that.

**Mr Bartolucci:** But you're not in favour of amalgamation at this point in time?

**Mr Hopkins:** Not at this point in time, no.

**Mr Bartolucci:** Have you read the minister's paper entitled Review of Police Services in Ontario: A Framework for Discussion?

**Mr Hopkins:** I got that yesterday when I was getting in my car to come to Toronto.

**Mr Bartolucci:** As a probable appointee, it's an interesting paper to read because there will be some concerns that you have as an appointed member to a police services board. You haven't had an opportunity to spend any time with it?

**Mr Hopkins:** Not fully, no.

**Mr Bartolucci:** Give us your views on community-based policing, please.

**Mr Hopkins:** Can you be a little more direct?

**Mr Bartolucci:** You will know that there is a movement afoot across Ontario to implement — and Sudbury was the leader here; the Nickel Basin was a leader here, in fact — with regard to community-based policing. I'd like to know if the town of Hanover is involved in community-based policing, and if not, would you as a board member involve them in that?

**Mr Hopkins:** I don't know at this given time if they are. Again, that's another avenue to explore. I think what it comes down to is what we as a municipality can afford if we are going to stay a municipal police force.

**Mr Bartolucci:** I think community-based policing is the way of the future in policing, and you might go on to become very familiar with that. I would hope that as an appointee you would certainly sing its praises and its values around your board.

You cut — and I'm being serious here — policemen's hair, I'm sure, some police officers' hair.

**Mr Hopkins:** Yes, I do.

**Mr Bartolucci:** Then I know that they've probably talked to you about this, and maybe you can relay to the committee their views on the Ontario police complaints commission.

**Mr Hopkins:** To be quite honest, because the officers who come into my place of business are out in front of the public on a day-to-day basis, I always practise not to pry into the community's police force until I'm fully aware of what I'm talking about. There is no use taking your left foot out of your mouth if you're going to shove your right foot in. Yes, they do comment, but not in that area. They speak generally about: "Are you happy with this? Are you happy with our hockey team? Are you

happy with the way the town is being run per se today?" They ask me in return, "Have you heard of anything off-colour?" if I can use that term.

I know I'm repeating myself, but I feel we have an excellent police force, and if we can afford to maintain that, then fine.

**Mr Bartolucci:** What do you want to bring to the board?

**Mr Hopkins:** What I want to bring to the board are my leadership, my ability to listen and hopefully my ability to learn and make it a better community to live in, not only for myself and my children but for my grandchildren and the people who are coming after me.

1050

**Mr Bartolucci:** You know the makeup of the board. The makeup of the board is partly municipal and partly appointed through the province. Do you see any problems with that at all?

**Mr Hopkins:** Not at this given time. We have only three members on our board right now. I am led to believe it is a board of five. I guess that's one reason why I'm here. I think five is a good number. I can't really see where there is any difficulty in that area. Again, our budget for the town — I did learn that from some of the information I received from you people, which I couldn't get from our chairperson — we spend approximately \$882,000 a year for approximately a 12-man police force. I think our police force is very up to par. We communicate or have the communications system for our surrounding areas, which is of benefit to the municipality of Hanover.

**Mr Bartolucci:** You're going to be part of a board that makes major policy decisions. The police services board is an extremely important board. It dictates how the community will be protected; it dictates the confidence the community has in its police force. Of all the appointees, I take this one to be one of the most serious appointments to any board, because truly you dictate the tone and the confidence of the town or city that you'll be a part of. What are your goals for the Hanover Police Services Board?

**Mr Hopkins:** What are my goals? To make the Hanover police force as good as we possibly can. The leadership, I think, melts down through the system. I feel that because of the dollar issue — again, how long we'll be able to maintain our police force, I'm not sure. I can't really put a number on that. But I do feel that my qualities — I feel I am the right person for the job at this given time. Yes, changes will be made. What changes they are, I'm not sure. What kind of legislation is coming down for our municipality police force, I'm not sure.

**Mr Bartolucci:** What changes would you like to see, Mr Hopkins? What changes would you like to see in the Hanover police services?

**Mr Hopkins:** Changes are good if it's change for the better. I always felt like you don't make changes for the sake of making changes, because they're non-productive and they cost money. So yes, there will be changes made. But again, through what avenue, I'm not sure.

**Mr Bartolucci:** You personally, though, sir?

**Mr Hopkins:** I'm sorry?



**Mr Bartolucci:** You personally? You're one of the hub centres of the community. You're the barber in the community. Let me tell you, I'm serious when I say I can find out the pulse, everybody around here can find out the pulse, of a community by going to the barbershop. You hear a variety of opinions and you have an opinion yourself, I'm sure. What changes would you like to see happen in the police services board in Hanover?

**Mr Hopkins:** All I can say again, sir, is what I have said earlier on. I think we have a good police force, an excellent police force. It shows leadership; it shows the people in Hanover that, yes, you can move to this town and, yes, we will protect you to the best of our ability. And by having these qualities in our community — I really feel it is good quality. Unfortunately — or fortunately; I guess it depends how you look at it — we are having a large influx of people moving to our area, and by having this influx, things change from day to day. So my opinion on what changes need to be taken, I can't really say. Even though I am a barber and you might think I'm the Ann Landers of Hanover, I am not, sir.

**Mr Bartolucci:** I don't think you're the Ann Landers of Hanover. You don't even look like Ann Landers.

**Mr Hopkins:** I don't have all the questions to the answers.

**Mr Bartolucci:** Any time left?

**The Acting Chair (Mr Tony Martin):** You're over time.

**The Acting Chair (Mr Rick Bartolucci):** Okay. Mr Martin?

**Mr Martin:** Just noting, Chair, that Mr Ford is beginning to get a little bite in his questioning here this morning, and maybe he might consider coming over and sitting beside me here and sharing some of my time.

*Interjections.*

**The Acting Chair:** Could we get back to order.

**Mr Martin:** I noted there was a judgement made on your haircut this morning. I was wondering how mine is doing. My father cut mine about two weeks ago.

**Mr Hopkins:** You're looking great, sir.

**Mr Martin:** I'm looking great? Okay, I'll tell him.

What are the principal responsibilities of a police services board?

**Mr Hopkins:** What are their responsibilities, sir?

**Mr Martin:** Yes, the principal responsibilities of a police services board.

**Mr Hopkins:** I guess to keep law and order.

**Mr Martin:** Pardon?

**Mr Hopkins:** To keep law and order.

**Mr Martin:** Yes, but —

**Mr Hopkins:** Again, I can't really comment because I tried to do as much homework as I could to come down here for this appointment, but the chairperson was leaving on holidays and the amount of time she gave me was very little, to be quite honest.

**Mr Martin:** There is information available in the book that was put together on the various public bodies on which people sit by appointment of order in council of the government, and in that booklet, for public perusal, is a description of the police services board and its prime responsibilities. I guess I'm a little surprised that you wouldn't have at least picked that up and read that

paragraph or two, because it very specifically states what the principal responsibilities of the board are. Having discovered here that you didn't look at that, I guess I'm wondering, how is it that you became aware of the fact that there was an opening on the police services board of Hanover?

**Mr Hopkins:** They advertised in our local paper, sir.

**Mr Martin:** Okay. And then —

**Mr Hopkins:** I'm sorry. I can't hear you.

**Mr Martin:** They advertised in your local paper and you just thought that would be a good thing for you to apply to. How long ago was that?

**Mr Hopkins:** Well, they've been needing members apparently since May.

**Mr Martin:** When did you apply?

**Mr Hopkins:** The latter part of June.

**Mr Martin:** Are you a member of the Progressive Conservative Party, or have you ever been a member of the Progressive Conservative Party?

**Mr Hopkins:** No, I have never been.

**Mr Martin:** And you aren't now.

**Mr Hopkins:** A member of the —

**Mr Martin:** Of the Progressive Conservative Party.

**Mr Hopkins:** No, I am not a member.

**Mr Martin:** Who's your local member?

**Mr Hopkins:** Mr Murdoch.

**Mr Martin:** Did you talk to him at all about this position and your interest in it?

**Mr Hopkins:** I tried to get Mr Murdoch on the phone. Unfortunately, I guess he's a very busy man and he never got back to me. I left a message on his answering machine and he never got back to me, sir.

**Mr Martin:** Which then brings me to the question of my colleague from Sudbury, which is, if you don't know what the principal responsibilities of the board are, I'm not sure why you applied to be appointed to this board if you have no recommendations for change, if you find that the board is operating quite well as it is. What is your particular interest, then, in being on the board? What is it that you think you can do or would be able to do?

1100

**Mr Hopkins:** I'd like to think that I answered that question before, sir.

**Mr Martin:** Well, maybe you can answer it again for me. I'm having a hard time hearing this morning.

**Mr Hopkins:** So am I, sir. I like to think that I'd bring leadership to our board. I have a general knowledge of drawing up budgets and the maintaining of budgets. I come in contact with many people in our community. It is a small community of less than 7,000 people. We have a lot of respect in our community. I feel, again, I am qualified to do this job even though I cannot answer all your questions. I'd like to be able to answer your questions, but at this given time I do not have that information, and I'm being honest about that.

**Mr Martin:** Okay, and I appreciate that. Do you support the initiative, the program, that this government is laying out for the people of Ontario by way of its record so far in the year and a bit that they've been government and what they've printed in their Common Sense Revolution? Do you support that?

**Mr Hopkins:** Yes, I do.



**Mr Martin:** You do. Okay. And what would you do if at some point, given that many municipalities have expressed an interest in having more control over municipal police services boards and budgets and given some of the direction this government is wanting to go in terms of amalgamating and taking control away from particular municipalities — what if at some point what the government wanted to do to the Hanover police services was different from what you as a member of the police services board, a citizen, a barber in that community, knew very clearly that community didn't want, that it was opposed to? What side of the fence would you come down on in that kind of scenario?

**Mr Hopkins:** Again, amalgamation is good if it's going to be for the betterment of not only the town of Hanover but the surrounding areas.

**Mr Martin:** But what if the municipality of Hanover and the people of Hanover weren't in agreement with your estimation of whether it was good or not or the fact that the government saw it as in its best interests to do that? Whose side would you be on?

**Mr Hopkins:** I don't know if it's a question of sides, like this side of the room compared to this side of the room. I feel that what is best for my community is the most important thing. Now, by amalgamation, if you can sit down as a group and discuss things in a calm fashion and maintain respect for each and every person around this table, I think answers can be solved. But without respect and the willingness to learn and listen, we might as well go outside and put our heads in the sand.

**Mr Martin:** Given the record of this government of not being at all interested in consultation but just moving quickly ahead, making change regardless of the consequence, no thought-out business plan to anything, just ideologically driven — "government is bad, the private sector is better; the less government, the better; community policing, iffy; law and order, that's what we're about" — given the drive of this government and the obvious intent of this government to make change and make it quickly, if, as a representative of your community appointed to this commission, it began to do some things that you felt in your gut and from what people were telling you were not in the best interests of Hanover, what would you do? Whose side would you be on then?

You stated earlier that you support the agenda of this government. Where would you stand, where would you fall, in a situation where what was happening either wasn't supported by enough information, you didn't have enough information, or you felt in your heart and from what people were telling you that it wasn't in the best interests of Hanover? Where would you stand in that kind of scenario?

**Mr Hopkins:** Without the government, where would we all stand? I feel that your question doesn't really —

**Mr Martin:** I'm in the fortunate, or unfortunate, position today of being asked to vote approval or non-approval of your appointment to that commission. I want to know if you have any backbone. I want to know if you're willing to stand up and be counted in a situation where something affected your community very clearly and you felt very strongly about it, whether you'd be

willing to challenge the government of the day re its agenda and what it's proposing to do.

**Mr Hopkins:** At that given time I would, because I do believe in our government. My question to you, sir, is, do you believe in our government?

**Mr Martin:** Well, I have to tell you, in the year and a bit that I've seen of them and from listening to the people in my community, I have some real concerns about what this government's doing, and I'm wondering if you do.

**Mr Hopkins:** Not at this given time. My community is very well represented by Mr Murdoch and our PC Party. I would like to ask you, because I cannot see your name card, are you in the second or the third?

**Mr Martin:** I'm a New Democrat.

**Mr Hopkins:** Thank you very much.

**Mr Martin:** I'm wondering where you would stand —

**The Acting Chair:** This will be your final question.

**Mr Martin:** For the third or fourth time — I'm not sure how many times I've asked this question, and I know you asked your question two or three times. We're looking for some answers here and we're not getting them. Where would you stand, Mr Hopkins, in a situation where, in something of significant consequence to your community, people in Hanover felt one way and the government another in its attempt to broad-brush impose some things on the province of Ontario that you felt weren't in the best interests of Hanover?

**Mr Hopkins:** I like to think, because we are mature adults, that we could sit down and discuss whatever the problem might be.

**Mr Martin:** Well, you know, that's nice —

**The Acting Chair:** I will have to terminate because your time is up. We'll have to end on that answer, Mr Martin. The government has some time left. Would you like to continue with your questioning?

**Mr Bob Wood:** We'll waive our time.

**The Acting Chair:** All right. Thank you very much, Mr Hopkins, for coming before us and for commenting on the hairdo. I appreciate that. I'll tell Ugo that it was noticed. Just before you leave, who cuts a barber's hair?

**Mr Hopkins:** That's a good question, sir.

**The Acting Chair:** Will it be left unanswered?

**Mr Hopkins:** No, I will answer that. I have an employee. He cuts my hair and I cut his hair and it usually works out for the betterment. At this given time, I'd like to thank you for your patience, and I will not apologize if I could not answer your questions.

**The Acting Chair:** You don't have to apologize, sir. Thank you very much.

#### DOUGLAS COLBOURNE

Review of intended appointment, selected by official opposition party: Douglas S. Colbourne, intended appointee as chair, Ontario Municipal Board.

**The Acting Chair:** Our next appointee is Douglas Colbourne. Welcome to the committee. Would you like to make an opening comment?

**Mr Douglas Colbourne:** Just a brief comment. I think you all know that I was appointed to the board in 1968 as a member. A member conducts hearings in all facets



of the board. In 1976, I was appointed vice-chair of the board specifically to manage the capital expenditure section of the board, as it then was, which no longer exists.

Then in 1983, I was appointed chair of the assessment division of the board, which inherited a problem of significant proportions from the courts, which had refused to do their assessment appeals. In 1983, I was acting chair between Mr Kruger's term and Helen Cooper's term, and during that time I codified a lot of the new practices and procedures of the board and implemented them at that particular time.

Since 1993, when the new chair came in, I have been responsible primarily for the calendar, which is the main function of the assignment of all the members across the province of Ontario.

1110

That brings a wealth of experience and knowledge about what's to be done with the board. I have a style which is known to my colleagues and members and staff, and I believe I have their confidence in the future to go ahead. I'm fairly forthright and consistent in my views and I'm a known quantity in the community. Thank you.

**The Acting Chair:** We have approximately nine minutes each. We'll start off with Mr Ford.

**Mr Ford:** The backlog cases before the OMB have been reduced in recent years. Do you have any thoughts on how this can be improved further?

**Mr Colbourne:** Yes. Frankly, we've improved by trying to implement all sorts of practices and processes, pre-hearing conferences, settlement hearings, informal hearings, and I can describe those in detail if you want. We have applied all of those.

We have unfortunately not had the backup case management system in place both as to staff and as to computers to help us case manage particular cases. That's coming in right now; it's under way right now. My views are generally that we have a series of files which we do not need to case manage, and I'm referring to smaller applications from municipalities, minor variances, consents and this sort of thing, which should not be managed but should be put through. This will save staff time. What I intend to do is target mainly the major projects for case management by staff and/or case management by members and vice-chairs of the board.

I'm talking about the major items such as shopping centres, what we call big-box, which is a major portion of our hearing time right now that needs a lot of attention, as well as perhaps general official plan amendments such as London is just undertaking right now. They have a major official plan amendment and supplementing bylaws, and that's going to take less time. We did it for them. It took a period of about three years. I intend to change that with early intervention by members, either in mediation or in early intervention in terms of short hearings in all the locations.

**Mr Ford:** I had another question, but you've already answered it, so I'll pass to the next questioner.

**Mr Preston:** Mr Colbourne, thank you for coming today. What is your view of the independence of the OMB?

**Mr Colbourne:** I've been on record as supporting the independence of the tribunal over a period of years. It might be interesting to note that I was appointed at a time when it was with the Ministry of Municipal Affairs. It was transferred to the AG in 1973 and returned to the Ministry of Municipal Affairs in 1992, at the time Mr Kruger was in.

My views are that I believe that there should be the institutional and financial independence of the tribunal. It's a function of two things: It's not only where our reporting function is, but it's also a function of the tenure of the members. I am at pleasure, and one third of the board is at pleasure, at the current time. The balance are on three-year terms.

I have, over my tenure, never felt any pressure and have never had any pressure at any time in terms of an individual decision, so I have felt fairly confident. But I haven't felt overconfident, with the view that if I did not perform, I could be replaced or my order in council revoked for cause. I'm not sure of all the court decisions in that respect, but that's been my view.

The current term of three years for the appointments since the Liberal government on has caused concern, because these individuals, given the multiplicity of statutes under which we operate, for the most part take a couple of years to get up to speed to be able to handle it, and then the last year they're on their way out perhaps, so they're looking around tentatively for a job. If the ministry, which up to now has been one of the many ministries that appeared in front of us, is represented on a particular issue and that particular member coming up for reappointment is on that particular hearing, it does, I believe, if not actually, provide a perceived conflict of interest in terms of an upcoming reappointment.

**Mr Preston:** What needs to be done to ensure the consistency of the board's decisions?

**Mr Colbourne:** Ah, that's a different topic, the consistency of the board's decisions.

**Mr Preston:** Not really different.

**Mr Colbourne:** No? What has to be done, and it's been one of my recommendations, is a better training program for new-member appointments. We also have to have more consistent meetings on the consistency issue, which we have not had in the past few years. At one time, we used to have a member in charge of picking out inconsistencies in decisions and we would do it at a regular board meeting. We didn't aim at any particular members, but the issue was raised and everybody had a real good go at it. Those bearpit sessions provided some direction for the balance of the members. I think that has to be continued. I think we have to have more board meetings to focus on consistency of approach in certain applications.

We are also toying with, and I mean that respectfully, a computer format which gives you general phraseology for decision-making to assist members in formatting their decisions, if nothing else, and getting them on time.

We do currently have a review by vice-chairs before decisions are issued. All decisions are reviewed by a vice-chair and the vice-chair comments on peculiarities, if I can put it that way, or inconsistencies, and the comments are returned to the individual member. We do



not interfere with the decision-making, and we can't, but the member then has the option of following or changing or altering, as the case may be appropriately, or issuing the decision as they've already seen fit.

We are attempting to provide that direction in that respect, but training in decision-writing and better training in the statutes we cover would perhaps assist to a greater degree in that respect.

**Mr Preston:** This government is in favour of streamlining, cutting back regulations, what have you. The OMB is mentioned in over 600 statutes. Do you have any thoughts on how streamlining can be implemented?

**Mr Colbourne:** There are two aspects to it. Since the legislation under which we operate comes from a multitude of places, the Planning Act through municipal affairs, and we have the assessment appeals through revenue, and our own act, which generally comes through, it's a problem of consolidation of all of those types of statutes. The main operations are only about five or six statutes: the Planning Act, the Assessment Act, expropriations, development charges and these sorts of things, so that's where primarily our business focus is.

In the area of regional government, where we are mentioned on the various regional statutes a number of times, that perhaps will be solved by, or recommendations for that might come out of, the who-does-what committee, dealing with who does what out in the municipalities and how it's going to be handled. That might be an area that you could look at that part of it.

**The Chair:** Mr Preston, we'd better move on to the official opposition.

**Mr Bartolucci:** I only have a few questions. Let me base those questions on my experiences as an alderman and as a regional councillor in the regional municipality of Sudbury. You know, and I know you know, that the regional municipality of Sudbury is made up of lower-tier municipalities. There was a problem while I sat on regional council and at the city of Sudbury: the upper tier not following through with what the lower tier wanted. Should planning be an upper-tier responsibility or a lower-tier responsibility, in your opinion?

**Mr Colbourne:** We've had the system where it's been passed locally and approved or disapproved at the upper tier or, as a matter of fact, the Ministry of Municipal Affairs, which most municipalities really report to. I've always been in favour of returning some of our applications to the local municipalities to let them make up their own minds. You'll be interested to know that only about 3% to 5% of all municipal bylaws get appealed to the tribunal, so most of them remain with the local municipalities.

1120

I think it's a function of whether or not there's appropriate staff support in terms of planning and recommendations for the local municipality. In a lot of cases they have to rely on the regional level to provide staffing to review applications, and I think if they had the funds at the lower level to be able to do their own planning I wouldn't have any problem with that either. That's probably a thrust of this government. I've always wanted to shove each application back to the municipality for a

review on their earlier decisions but I've never been able to bring that about. I've always been in favour of that.

**Mr Bartolucci:** That's good. How are we ever going to get over the NIMBY syndrome? Certainly I don't think the new legislation will get rid of the NIMBY syndrome.

**Mr Colbourne:** No.

**Mr Bartolucci:** You're in a very important position and you can affect that NIMBY syndrome. How, as chair, will you do that?

**Mr Colbourne:** We can affect it. I'm not sure we can get rid of it.

**Mr Bartolucci:** I don't think you'll ever get rid of it; you're right.

**Mr Colbourne:** What my goal is, and I did say it in response to Mr Ford's remarks, on the minor variances, which is where you get neighbour against neighbour — at least at that level my intention is to bring them right through the system and just put them on for a hearing. Give them one hour — "What's your problem?" — and make a decision. We don't have to mediate that, we just have to make a decision giving them the appropriate time because they are only issues between two individuals.

On the larger projects you're still going to get "not in our backyard" — it's not NIMBY, but it's "not in our backyard" — with the higher-density matters and/or where we function with the Environmental Assessment Board in the waste disposal sites. We have instituted now a pre-hearing conference mode which goes further than just procedural. We try to pin people down to what their issues are and make them face reality up front.

I had a good instance in city planning which covered the entire city of Toronto, which I was case managing at the time, and faced a couple of individuals who are repeat offenders, if I can put it that way. They appear on everything as representatives. I just faced them and told them what was expected of them and what sorts of witnesses they had to bring to challenge the other side, and they backed off. I think it's a matter of our procedures and getting firmer with people. We have the power to award costs, which we've used frugally over the years, with a couple of exceptions, and I think that's another area where we might eliminate not the people who have a serious concern but the problem people. That's about all I can recommend at the moment.

**Mr Bartolucci:** There was another problem, in talking with developers. They were concerned not so much with the board, because they understand that the board imposes the law and they come to a determination. They have problems with upper administration. How are you as the board chair going to ensure that administration and the board are on the same wavelength to facilitate speed? Time is money to everyone.

**Mr Colbourne:** Are you talking about the board's administration?

**Mr Bartolucci:** Yes.

**Mr Colbourne:** It's called upper tier by some people?

**Mr Bartolucci:** No, no. I'm talking about administration.

**Mr Colbourne:** I believe that the administration and the operations of the members of the board are my responsibility. The key part of the operation is the membership and how they operate and how expeditiously they



operate and complete their functions. It's my intention to lean on the administration sufficiently to get the resources necessary to carry that out and case manage the upfront staff portion of it.

As I indicated, we have a computer system almost up. We are just getting through now the reorganization which came into place, which has suffered because of the strike and because of the settlement and because of vacations. We're just trying to get staff in place, and I think we have a more streamlined approach to things. I don't intend to waste a lot of time on irrelevant or smaller issues. Put them on, get them through the process and get them decided very quickly.

**Mr Bartolucci:** That leads right into my next question. You will never, ever get rid of the frivolous complaint no matter how hard or how stringent the reform is. How are you going to handle it?

**Mr Colbourne:** With great respect, I think there is a vehicle in the Planning Act right now which allows us to dismiss, either on motion or of our own motion, where we deem a matter to be frivolous, which admittedly has not been used too much, but in the last three months I've seen an awful lot of applications coming in from people asking for us to dismiss without a hearing. What this will involve, as procedures roll out, is more of a paper hearing. In other words, we will review the request or make the request on our own, demand a response from the opposition or the appellant, as the case may be, and then we'll make a decision on whether or not we're going to dismiss. In doing a motion to dismiss, we have to provide them with that opportunity to appear, but we have the ability to make that decision.

**Mr Bartolucci:** Are you going to limit that, though? That's the problem people are finding, that these frivolous complaints still are allowed the process and the process takes time and time is money.

**Mr Colbourne:** If I get a motion to dismiss, I'll consider it seriously and I'll make a determination. If in my view a motion to dismiss should be granted, I'll put it on for a one-hour hearing to determine and that'll be pretty well finalized unless out of that comes a serious concern of an individual.

**Mr Bartolucci:** I know this deals with various applications, but with this government's agenda of deregulation, in particular with the Ministry of Environment and Energy, that has a direct impact on the OMB; there's no question about that.

**Mr Colbourne:** It always has had.

**Mr Bartolucci:** It always has, you're right, but I think now that impact is greater than ever before. What guidelines are you going to establish as the chair to ensure that the environment in each individual situation is protected? I'm not asking for each individual guideline, because we'd be here forever, but there's got to be a general rule of thumb that you as the chair are going to establish.

**Mr Colbourne:** Prior to the establishment of the Environmental Assessment Board, the board did handle it all the way through the process. I think there was an Environmental Appeal Board at that time but then the Environmental Assessment Board was created to handle that segment of it. We sit with them jointly in certain aspects of waste management.

The environment has always been a concern to the board. I don't think there's been a period of time when we haven't "considered" the environment. It's a different level of consideration. In many hearings I've had in the last six months, there have been assessments required by the Ministry of Environment and Energy and/or municipal players themselves in terms of agriculture and/or the environment. They do in a lot of municipalities require that they provide, not assessments, but environmental reviews of the particular projects. It's a function, first of all, of the local municipality requiring them in their own process, as well as up until now the various ministries have required them for their own purposes in specific applications.

I think we're going to have to direct on our own some functions that were carried out previously by the Ministry of Environment and Energy where they're not going to be involved in the process any more. We will have to do that.

**Mr Bartolucci:** Thank you very much, Mr Colbourne.

**Mr Martin:** Thank you for coming today, Mr Colbourne. Certainly you come highly recommended by both your track record and those who have appeared before you as somebody who is fair and neutral, even high praise from Mr David Lewis Stein, who writes in the *Toronto Star*.

**Mr Colbourne:** Yes.

**Mr Martin:** I think you have a copy of it. I don't know what he's after here or when the second shoe falls.

**Mr Colbourne:** I've only met him once, three years ago.

1130

**Mr Martin:** I think we can all be relatively comfortable that Mr Colbourne wasn't on the bus and that he will indeed do a good job on a board that certainly is going to be challenged. There's been a lot of change over the last few years in the way it operates, one of the biggest being just getting rid of the backlog of cases that was before it.

As a New Democrat government — and as a member of that government and having read some of the record in preparing for today — we tried to introduce some initiatives to shorten that and deal with it. I know that you expressed publicly some concern about it. What is the situation now in terms of backlog and how are we dealing with that?

**Mr Colbourne:** Currently I think we're about eight to nine months, but that's because we've been through a spring of discontent, if I can put it that way. We've had reorganization of our own staff, which has caused some disquiet among the staff, then we had the strike and the settlement of the strike and the announcements of cut-backs, which all converged at the same time. We've had surplus notices issued to a significant number of staff and we are now just getting through the bumps, which is what everybody refers to them as. We're just now getting our staff back up to complement. We're short nine people of 49 in our support staff. We're suffering again a bit in time, there's no question about it.

**Mr Martin:** You mention the word "reorganization." I think we all understand what that means in today's



environment: downsizing, doing better with less, that kind of thing. I note here that we provided the OMB, in recognition of the fact that there was this major backlog getting in the way of development and people getting on with their business — we increased funding by \$200,000, which allowed you to bring on some new staff. You're saying that at this particular point in time that's gone. You're now at a net loss of nine staff. Is that the only —

**Mr Colbourne:** No. We're short nine of the complement we remain with. Out of the original 63 in the reorganization we lost 14, so 14 positions were lost in the reorganization.

**Mr Martin:** You no doubt feel that will have some impact on your ability to deal expeditiously with some of the cases before you.

**Mr Colbourne:** That's the challenge I have, to manage the downsizing. But it does bring about a better level. At one level there's an increased staff requirement in management. We are bringing on planners, which we never had before, who have a good background in the major field that we operate in, so we've upgraded some staff positions. I think we'll have a better competence at a higher level in the staff to be able to manage some of these things. As I said, some are not going to be managed at all and the others will be concentrated on.

**Mr Martin:** Okay. I go on to another issue re the OMB and some changes that were made by way of new legislation and the impact that has on some people I interact with particularly when I go back home to my riding as decisions are made and brought before the board. Community groups usually don't have the resources of developers and municipalities to bring their case before the board. What do you think the board can do to make sure these groups are given a fair chance to be heard?

**Mr Colbourne:** Certainly in the major hearings that we conduct, if there are community groups that have an issue with a particular building, we've tried in our pre-hearing process to segment. In other words, if we have a whole municipality and they only want one building, we'll segment or divide up the hearing so that they're only going to appear on the one or two days that building is going to come up. We try to give them every opportunity. We don't require legal representation and they do not need to bring planners to support their position. We will give them an appropriate time, whenever they're available, to appear at these hearings.

The problem they face is continued appearance over a protracted length of time if one issue goes over 10 days or 15 days, but what we recommend to them is to have alternates. In other words, you don't have one or two people appearing for 15 days; you have 15 people appearing individually for one of 15 days and coordinating their efforts in the evenings and discussing matters. We provide them with an opportunity to direct questions to all the witnesses during the proceedings. But that's pretty well the best we can do. We like to have every party to the proceedings, including the residents' and ratepayers' associations, provide their upfront issues so that we know where they're going, so we can assist them, if you will, in directing when they should bring their evidence in.

We do try to facilitate their representation. We're trying to, but we can't always avoid the lengthy hearings that go six weeks, eight weeks. We try to focus the issues, when the ratepayers' groups want to appear, as best we can. We can't guarantee it, but we try.

**Mr Martin:** To what extent do you see Bill 20 changing board decisions? Now that the policy statements are much less specific and municipalities are now only required to "have regard to" instead of requiring that their actions "be consistent with" those policies, do you see this meaning that economic considerations will take precedence over environmental considerations or socio-economic considerations?

**Mr Colbourne:** Mr Martin, we actually did not deal with "be consistent with" at all because the legislation wasn't in except for a very few applications, so we really haven't had a trial on the "be consistent with." For years we've been dealing with having regard to, and we have a track record in dealing with all of those issues, having regard to the policies and having regard to the local official plans. We have a consistent record of that over the years. That was prior to Bill 163 and it's now in existence again, the same words, so we have a track record of how we've dealt with it, and I think we've dealt with it appropriately. I don't think it diminishes.

As I say, we didn't have a trial run at "be consistent with" because not very many people made applications. They either made them before Bill 163 came in or they were waiting, so we never really had a trial run. I think we would have had — this is speculation — a few years of litigation to determine exactly what those words meant. We're quite comfortable with having regard to, and we do have more than just a blushing regard to. We're directed to the policies that are in place. Prior to Bill 163 we had four policies of the government which we had regard to.

**Mr Martin:** You may have been comfortable with "have regard to," but obviously somebody wasn't —

**Mr Colbourne:** Yes, that's correct.

**Mr Martin:** — or the big study and commission that happened wouldn't have happened.

**Mr Colbourne:** The Sewell commission, that's correct.

**Mr Martin:** Yes, the Sewell commission. What, in your mind, was the problem?

**Mr Colbourne:** Along with the "be consistent with," as I recall, and I haven't gone in depth in reading all the policy guidelines 163 brought along with it, I think it had a lot more policies dealing with watershed planning, dealing with those types of items. I think it perhaps directed people to look at that sort of thing seriously right up front.

My view right now is that prior to 163 it may not have happened up front, but when issues got to the board, they grew, and people directed themselves to those issues of watershed planning, of watersheds. The ministries, on circulation, in the process prior to, used to get themselves involved after the enactments locally, so we got the evidence dealing with the watersheds, dealing with the environment, dealing with all those items at our level of the process. Admittedly, it wasn't up front, and I think 163 would have made sure it got dealt with earlier and perhaps may have shortened the process by dealing with it up front.



**The Chair:** Mr Colbourne, that completes the time to ask questions of you. I don't think there's an elected municipal or provincial politician in the province who doesn't understand the difficulty and the importance of the OMB, and we wish you well in your difficult task ahead because we know it's an important one. Thank you for coming before the committee.

**Mr Colbourne:** Thanks very much, members of the committee.

1140

**The Chair:** That completes the review of intended appointments for the morning. I'm in the hands of the committee about whether you wish to do the concurrences for the three we've heard from now or whether you wish to wait until the end of the day.

**Mr Bob Wood:** We've got 20 minutes now.

**The Chair:** Yes, we've got the time now if that's the wish of the committee. Is it? I think it is. Can we proceed, then?

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Higgin.

**The Chair:** Do you wish to speak to that?

**Mr Bob Wood:** Not yet.

**The Chair:** Okay. Any comments on Mr Higgin, the appointment to the Ontario Energy Board?

**Mr Martin:** I had some concern re Mr Higgin's understanding and willingness, even though he's obviously a very learned and experienced person, to challenge the agenda of this government, particularly if he in his wisdom saw it as not being in the best interests of the people of the province.

I didn't sense in him the urgency that I would anticipate and like in somebody appointed to this board around some of what's coming at us under the guise of privatization of some of the delivery mechanisms. I didn't sense in him any concern, for example, that in the Macdonald commission, even though it recommended very strongly that we move to privatization in a significant way, there were no financial data to show this would in any way be in the best interests of either the industrial sector out there, which is very dependent on a consistent source of energy that doesn't cost them an arm and a leg, or in the best interests of you or I, as consumers of electricity, any concern about and what it might cost us and what problems it might create for us if we move in this direction.

Given that we are moving so quickly in such an important direction, in how we're going to deliver energy in Ontario, we need people who are willing to stand up and challenge, ask the tough questions and demand that there be enough information on the table before decisions are made, to run up red flags for all of us if stuff is being rammed down our throats that isn't in the end going to be good for us. I don't sense that in Mr Higgin, so I will be voting against this appointment.

**The Chair:** Thank you, Mr Martin. Any other comments on the motion by Mr Wood? Are you ready for the question?

All those in favour of Mr Wood's motion? All those opposed? The concurrence is carried.

**Mr Bob Wood:** I move concurrence of the intended appointment of Mr Hopkins.

**The Chair:** Any comments on Mr Hopkins?

**Mr Bartolucci:** Mr Chair, I'll not be supporting the appointment of Mr Hopkins. He brings no ideas with him, he brings no concerns with him, he brings no uniqueness with him, he brings absolutely no understanding with him.

I'll tell you, I thought we were rather easy on him today. I thought he could answer questions on community-based policing in the town of Hanover — Hanover is community-based policing — and all he had to say was, "I understand that community-based policing is this, here is how it's demonstrated in Hanover," and go with it.

We asked him about the Ontario police complaints commission, very, very simple, and he refuses to acknowledge that there are concerns about it. He does not have an understanding or a direction of where the ministry or the minister are going with police reform, but he'll "get around to it, certainly, some time."

He refused to answer every question, including the one about his hair. He was even reluctant to answer the question of who cuts his hair, at the very end. Mr Martin didn't get an answer from him on any question, and I didn't. I saw the members on the government side not exactly enthralled with the way he was presenting himself during the answering of the questions. I understand why Bill didn't return the call or didn't return the message on the machine. I don't think this is a good one.

You know I have a bias when it comes to police services boards. They are important. No one will ever, ever get me to underestimate the importance a police services board serves in a community. It is in fact the confidence of the community. Maybe in Hanover they don't care about policing, or maybe in Hanover they don't have any ideas about how to improve police services to the community. But I suggest that the residents of the community of Hanover, the people at large in the community of Hanover, have concerns about what's happening in society today, not only outside of Hanover but inside Hanover as well.

He's a nice guy. He's a barber, he's a nice guy, and I like barbers, I really do. And I like the way he presents himself; he was very, very comfortable. But you also want to have somebody who has an idea to bring. You also want to have someone who brings with him a degree of originality so that policing can be better. He doesn't have it, and he doesn't have, I think, the presence to prepare for what's ahead of him on a police services review board. It's a very serious and a very challenging and a very important position, one I don't think he adequately prepared for before the committee, and this is just an example of what will happen when he gets on the board; it is more serious than that. I will be voting against the appointment.

**Mr Martin:** I'm not going to be voting for this one either, basically for the same reasons as Mr Higgin. In light of the tremendous changes happening in the province so rapidly, and the impact all of that will have on the lives of all of us, the people we represent, our family, our neighbours in the communities we live in, we have to have people appointed to boards and commission who are not simply there as spokespersons, as apologists, as people who simply see the agenda of the government as the right thing to be doing and are going to just support it.



We need people who are going to stand up and ask for information, for more information if they don't think they have enough. We need people who are willing to stand up and take a strong stand if they feel it's in the best interests of their community and the province to have something looked at again, to challenge, to ask the tough questions and to work with all of us, including yourselves as government, because I know you have the best interests of this province at heart too; you just take a different approach to it than I would.

But I think it's really important, in the interests of democracy and the process and the way we do business in Ontario and the long-term future for us and for our children, that we have people appointed to boards who are willing to go the extra mile, who are willing to ask for that extra information, who are willing to stand up from time to time when they feel that what's happening is not in the best interests of the people they represent, of the community they come from. I didn't feel comfortable, as I didn't with Mr Higgin, that Mr Hopkins was willing to and was going to do that kind of homework and be that kind of person who would challenge in that way. I will not be supporting this appointment either.

**Mr Bob Wood:** The government does support this appointment. We feel he brings the kind of business and community experience that's needed. We think he demonstrates the sort of personal qualities needed. He's honest, straightforward, sincere, demonstrates good common sense. We think he'll be an appropriate person on the Hanover Police Services Board.

**Mr Wayne Wettlaufer (Kitchener):** I'd like to comment on something Mr Bartolucci raised, and that is the fact that Hanover is a very small town, north of Kitchener as a matter of fact, in my riding. I've gone through it many times. I think Mr Hopkins reflects the wishes of the people of his community. As a barber, as a small businessman, he has succeeded in his business. In a small town, you're quite aware that you have to be a decent, down-to-earth type of person, one who will reflect the views of the people of the community in order to succeed.

It's a much smaller town than Sudbury, Mr Bartolucci. If you take all the towns in the area combined, they would be much smaller than Sudbury. When he discussed amalgamation of police services, whether it would be more advantageous to the area than to his own town, I thought he used a fair amount of common sense, and for that reason I was impressed with him.

**The Chair:** Thank you for that. Any other comments? Is the committee ready for the question? You appear to be. All in favour of Mr Wood's motion? All those opposed? The motion is carried.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Colbourne.

**The Chair:** Any comments on Mr Colbourne's appointment?

**Mr Martin:** I'm going to be supporting this appointment. I see in this gentleman the strength of character to stand up and be counted on issues, to work hard to make sure that people are listened to and involved in the process. As some have said in my preparing for today's meeting, I see him as a person who is fair and neutral

and is going to act, I think — I feel, I hope — in the best interests of the province. I'll be supporting it.

**The Chair:** Thank you for that. Is the committee ready for the question? All those in favour? It's carried unanimously.

That completes the review of and concurrences in this morning's appointments. We reconvene at 2 o'clock to consider Mr Annunziata and Ms Slater. We are adjourned.

*The committee recessed from 1154 to 1406.*

**The Chair:** The standing committee will come to order. Mr Martin?

**Mr Martin:** On a point of privilege, I suppose, I'd like to raise the issue of Mr Richardson and the fact that we weren't able to have him come before us for an interview. We requested him, as we were called to do by the standing orders, back in July some time, I believe, and we had 30 days within which he was to respond with a time that would be convenient for both him and us. We weren't able to find one. The times we were sitting, he was away.

So the last time we gathered in July, I asked for a 14-day extension — I was under the impression that it's in the standing orders that we can ask for that — so we could have him in here and have our usual discussion and get on with business. In the interim, there was a decision rendered by the public appointments secretariat, in its wisdom, to suggest that the requesting of the 14 days at the end of the period as opposed to the beginning of the period was out of order. So they went ahead with the appointment of Mr Richardson to the Ontario Northland Transportation Commission, and he's not coming before us.

I want to say a couple of words about the decision that was made by the secretariat, and I would ask the clerk to comment on it. I've already spoken to him briefly about it. I want to say as well that I appreciated the fact that Mr Wood, whip for the government caucus, was kind enough to inform me of this decision yesterday so that I would be aware and be able to speak to it today. I sensed that there was some sympathy from him re the question of having somebody in here and the 14 days and all of that. I don't think it's a bone of contention among any of us around the table here; it's just a judgement that was rendered by the secretariat that I think could have been different and would have allowed me — us — the privilege we enjoy as members of this standing committee to interview, from time to time, people whom we see as perhaps interesting or necessary in order to fulfil our mandate.

Anyway, the secretariat decided that since we hadn't asked for the 14 days at the beginning when we first requested that Mr Richardson come before us, we were out of order asking at the end. I simply state that had we known Mr Richardson wasn't going to be able to come within those 30 days, we would have asked for the extra 14 days so we could have accommodated and allowed him the opportunity to come. But we didn't; we asked for it when we found out that he couldn't come.

It's suggested by the clerk that some of the problem here is that the rules change somewhat in the interim compared to what they are when the House is sitting re



our being here and our ability to get the things quicker and deal with them.

I don't know what to say except that I feel that my privileges, our privileges, have been dealt with in a somewhat shabby manner by the secretariat in making the decision it did. I don't know why the hurry there to have this appointment made, why they couldn't have waited until today, until we could have met with Mr Richardson and had that little exercise dealt with and done.

I don't know what it is in the appointment of Mr Richardson that he wasn't able to be here. I give him the benefit of the doubt that during the first 30 days he was out of the province and wasn't able to be here. The next 14, and why it wasn't convenient for the secretariat and he and those involved to have him come — except that it's interesting to note that he's not a resident of Ontario. He's a resident of Quebec. I don't know if you knew that. The government is now appointing an appointee to the Ontario Northland Transportation Commission who is a resident of Quebec. What expertise and knowledge he brings would have been interesting to ask, had he come before us, to find out why it is that we had to travel so far to have somebody.

Mind you, when you look at the headquarters of the ONTC in North Bay, Quebec being just down the road, Timiskaming, maybe there isn't quite the difficulty there that I had thought, although it is interesting to note that we also saw in the last month or so — my colleague Mr Gravelle from Thunder Bay may have some comment about this, I don't know; maybe we can talk about it in private later — an appointment from northwestern Ontario to the Ontario Northland Transportation Commission. I found that interesting in that there is absolutely no activity any more by the commission in northwestern Ontario. They have pulled completely out of that huge part of the province, and to have somebody from northwestern Ontario sitting on a commission that deals totally with northeastern Ontario was interesting, to say the least. But now to have somebody from Quebec appointed and not to be able to ask that person some questions about what it is he brings that's so particular that we couldn't find anybody in Ontario is interesting.

Again, as I did last time we sat, I suggest that further appointments to this commission — it's getting really interesting as this whole thing unfolds. Last time, there was a woman appointed. We didn't have her in front of us either, because we didn't find out early enough, but apparently she's the sister-in-law of Cindy Boston, who is an administrative executive with the commission and did contribute in some way to the Nipissing PC riding association — you know, just lots of intrigue here.

**Mr Bartolucci:** She's the one who had no ideas.

**Mr Martin:** No, that was another one. It's an interesting bunch we're putting together. I feel we really need to do everything within the parameters we have here to make sure we get as many of these folks in as possible so we can talk to them and find out what it is they bring to the commission. The commission, as we have all stated, on this side of the room anyway, is absolutely fundamental. What they do by way of transportation services and the managing and provision and coordination of our transportation services in northern Ontario is absolutely

essential and fundamental to any activity, whether it be in terms of the economy, health, social, whatever.

Transportation is one of those things that we just can't do without up there, so the people we appoint to this commission and our opportunity to speak to them, particularly those of us who represent that part of the province, about what they bring to the commission, what their hopes and aspirations are, what challenges they see us all facing, is really important, and in this instance the secretariat itself, which is not a political body but bureaucratic — maybe it is a political body. Yes, I guess it is a political body. I suppose the decision that was made this last week or two to not extend us the privilege of the 14 days so we could interview Mr Richardson suggests it is a political body and is entering into a realm that we would hope it would keep its fingers out of. It has made a decision that infringes, in my mind, Mr Chair, on my privileges and on the privileges of all of us here, to be unable to interview Mr Richardson before he was formally appointed to that commission.

I put that on the table. I don't know what action can be taken or what can be done to rectify this. I would be interested, though, in hearing at some point some ruling from the clerk as to the propriety of this particular decision.

**The Chair:** I don't think you'll find that there was anything out of order in the whole exercise. As you also hinted at, the whole issue of this particular committee meeting between sessions is really awkward and the rules don't reflect the reality of this committee. I'm not suggesting that the government members rush out and demand a whole set of rule changes at this point, but at the same time, the rules don't reflect the needs of this committee — and they were there; I'm not pointing fingers — do not reflect the needs of this committee between sessions. At the end of the day, the appearance of Mr Richardson depended upon the goodwill of the appointments secretariat, and unfortunately — I view it as unfortunate myself — that goodwill was not forthcoming. I regret that, and it may be that it will be extra-parliamentary activity that resolves it.

**Mr Bob Wood:** May I speak to that point of privilege? I think the situation that's arisen here was not intended as any disrespect to the committee by the secretariat. They interpreted the standing orders in the manner they thought was appropriate. I think what really happened was a situation where there was administrative error, poor communications, compounded by the fact that I was away. We've taken certain administrative steps which will hopefully avoid this kind of thing occurring in the future. There certainly is a credible case that the extension was in order and the appointee could have been called today, but as it turned out, that was not what happened in these circumstances. We're going to try and avoid this kind of thing happening again.

**The Chair:** Thank you for that.

**Mr Martin:** Does the clerk want to add any comment on that?

**The Chair:** It's not an interpretation of the rules we're dealing with here; the rules are quite clear, and I wouldn't want to put the clerk in a position of making a political ruling. Can we move on, then? Thank you for that.



## ANTHONY ANNUNZIATA

Review of intended appointment, selected by third party: Anthony Annunziata, intended appointee as member, Ontario Racing Commission.

**The Chair:** The first intended appointment review this afternoon is Mr Anthony Annunziata. Welcome to the committee. If you wish, you may make a few opening comments before we proceed with questions.

**Mr Anthony Annunziata:** I will, and thank you very much, Mr Chair, and good afternoon.

I was born and raised in Fort Erie, which as most of you know is the home of the Fort Erie Race Track. Throughout the years, I've had friends and family work at the Fort Erie Race Track and I've had the opportunity to see at first hand the economic impact of live racing in a small community. Ladies and gentlemen, the racing industry in Ontario currently employs over 40,000 people, many of whom come from small, rural communities much like my own. Therefore, it is imperative that with policy and governance we ensure the long-term health and viability of the racing industry in Ontario. Both this government and the previous government have been proactive in trying to achieve this goal. As the economic development officer in Fort Erie and the director of economic development for the city of Port Colborne, I recognize the significant jobs at stake and am committed to preserving live racing in Ontario.

As a member of the Ontario Racing Commission, it is my hope that as a commission we can provide recommendations to both industry and government on issues facing the horse racing industry, maintain the confidence of the horsemen, the industry operators and the public, so that the integrity of the industry is never compromised. Thank you.

**The Chair:** Are there any questions or comments?

**Mr Preston:** Sir, with the fact that you are from Fort Erie and the positions you hold, can you treat Ontario racing without bias?

**Mr Annunziata:** Absolutely. In response to that, it's absolutely integral that live racing in Ontario be preserved. It's not on a piecemeal basis, that I'd be solely interested in Fort Erie, because it's the industry as a whole that would lead to the success of live racing overall and it's the horses that are going to bring success to particular race tracks. Without the horse stock and the investment in the industry, certainly there won't be a Fort Erie Race Track, or any other race tracks, for that matter.

**Mr Preston:** Then what do you think the role of the commission really is?

**Mr Annunziata:** The role of the commission is to regulate and to provide the environment that is conducive for investment and conducive for the growth of the industry.

**Mr Ford:** Mr Annunziata, what perspective would you bring as an intended commissioner? What's your outlook on this?

**Mr Annunziata:** My outlook on it is as I stated earlier, to protect the integrity of the industry from elements that may infiltrate the industry, that may compromise the integrity of the industry. We're interested in providing consumer confidence in the industry so that

people will attend race tracks, will bet on live racing in Ontario and will invest in live racing in Ontario.

1420

**Mr Ford:** What is your perspective on the new machines coming in?

**Mr Annunziata:** My perspective on that is quite simply that as we speak, I know Bill 75 is being discussed right now. What I've heard so far is that they are currently being discussed.

**Mr Ford:** Video lottery machines.

**Mr Annunziata:** Yes, I'm familiar with them, sir. In all honesty, without knowing too much about the terms of reference, as to what's in it for the operators and what's in it for the industry, it's unfair for me to comment on that.

**Mr Ford:** I can see that. Okay, that's all.

**Mr Bob Wood:** We'll reserve the balance of our time.

**Mr Bartolucci:** Let's follow up on VLTs, because they're an interesting phenomenon. I don't want you to give your views on whether you're agreeing with the government's program, but let's say they're put into the race track — and they are going to be, you know that; the government has a majority and the reality is that that's going to happen. What effect is that going to have on individual race tracks like Sudbury Downs or Fort Erie and what are you as a commissioner going to do to ensure that the protection of the betting public who frequent race tracks is enshrined so that they can spend their money solely on horse racing as opposed to VLTs?

**Mr Annunziata:** As you know, the competition is growing quite rapidly with respect to the betting dollar currently out there. With respect to the VLTs, quite honestly, the race tracks themselves, as operators and as marketers, have to position themselves to be able to compete for that betting dollar. Currently, the Ontario Racing Commission doesn't regulate VLTs and would have very little say with respect to how they're implemented or where they're put. Those types of terms of reference are being discussed as we speak.

The other part of your question, sir, would have to do with the operators themselves. Currently, there are some case studies in the United States that would indicate that VLTs have been very successful at race tracks. Not to suggest or to prognosticate as to whether or not they'll be successful in Ontario, but some case studies do suggest that they have done well.

**Mr Bartolucci:** There's no question. All the case studies indicate that their appeal is broad, and Ontario's probably going to reflect the rest of the provinces in Canada.

We understand that the Ontario Racing Commission won't be able to govern VLTs, as you've said. Is that a concern to you as an appointee to this commission?

**Mr Annunziata:** My concern as a member of the commission would be solely to provide advice to the industry as to how it can position itself for success and growth. The regulation of that particular industry is not something that would be necessary in order to do that. The Ontario Racing Commission can still regulate and can still provide the environment conducive for investment without having control of the VLTs. They can work in concert, obviously, if they're going to be co-located,



but as a member of the commission, certainly we would be proponents of maintaining an environment where people would want to invest in the industry.

**Mr Bartolucci:** Let's follow that up a little. What advice are you going to be giving to the regulators of the VLTs, personal advice, right now? What advice would you give as a commissioner with regard —

**Mr Annunziata:** I wouldn't give any advice to the gaming commission unless the commission was asked as a whole formally. It certainly wouldn't be my place to offer any advice to the gaming commission at all.

**Mr Bartolucci:** As a member of the commission?

**Mr Annunziata:** Yes, sir.

**Mr Bartolucci:** So you have no concerns, then?

**Mr Annunziata:** I'm not saying that, sir, but for me to offer my advice it would have to come from some type of formal request to the commission as a whole.

**Mr Bartolucci:** Okay. Do you have any concerns?

**Mr Annunziata:** I have a concern for the racing industry as a whole, that an environment be created to allow it to compete for that gaming dollar. Those are my concerns. Without the different legislation that has come forward to allow for the industry to compete, I would be very concerned, but now some things are coming into place that can allow the industry to compete, I feel very confident the industry can succeed.

**Mr Bartolucci:** So you have no concerns with VLTs being placed in racetracks — I think that's what you're saying. If you believe that, say it.

**Mr Annunziata:** Sir, obviously I have concerns with respect to the industry, as I said, for the gaming dollar, to be allowed to compete, but when the terms of reference come out for VLTs and when they come out from the gaming commission, then we can comment on it. Until that happens, it's very difficult to comment.

**Mr Bartolucci:** Of the population that visits racetracks, is there a high degree addicted to horse racing?

**Mr Annunziata:** I am not privy to that knowledge.

**Mr Bartolucci:** You know that, in VLTs, it's rather astounding in Alberta and in other provinces.

**Mr Annunziata:** I've heard that, yes.

**Mr Bartolucci:** Is that a concern to you, as an appointee to the commission?

**Mr Annunziata:** The question is?

**Mr Bartolucci:** The addictive nature —

**Mr Annunziata:** The addictiveness of horse racing?

**Mr Bartolucci:** — of VLTs, and you relied on past information in other provinces in an earlier answer. You have some information about the addictiveness of VLTs. Are you concerned about that segment of the public frequenting a racetrack when they're already addicted to VLTs?

**Mr Annunziata:** I think the issue of addiction itself should be a serious concern, and there's no doubt and there's no denying the fact that there are people addicted to particular things in society. I think there are mechanisms, though, to resolve or to deal with those types of addictions and it is the role of those parties to be able to deal with those addictions. For me to comment further as to my concern about the addiction would be speculating to the effect that the addiction itself is of concern to

society and should be dealt with through the appropriate mechanisms.

**Mr Bartolucci:** Your résumé is very impressive. I say that in all sincerity and honesty. Anthony, have you ever had any political aspirations?

**Mr Annunziata:** Perhaps some time down the road I may consider public office, but not at this time, sir.

**Mr Bartolucci:** Have you ever served in a public office before, whether it be a town councillor or —

**Mr Annunziata:** I've served on the student council in university.

**Mr Bartolucci:** Yes, I got that. Anything else other than that? Are you interested in provincial politics?

**Mr Annunziata:** I'm always interested in following the life of Ontario politics.

**Mr Bartolucci:** You're starting to sound more and more like a Conservative over here, Anthony. I say that with all due respect as well. I'm just wondering. Come on, Anthony. You're Italian. Give me a straight answer.

**Mr Annunziata:** Well, I'm Italian.

*Interjections.*

**Mr Annunziata:** My interest in Ontario politics is solely that, from an economic development perspective as what I've chosen to be my career, the government look at ways and means in which the province could be a more conducive place for people to find work and seek employment, and for investment purposes so that we can have an opportunity to succeed beyond what our mothers and fathers have done.

**Mr Bartolucci:** And you didn't take an active role in the last campaign?

**Mr Annunziata:** I'm sorry, sir?

**Mr Bartolucci:** Did you take an active role in the last campaign?

**Mr Annunziata:** I was a volunteer in the last campaign.

**Mr Bartolucci:** Good. I want to ask you what party, but I have a sneaking suspicion, Anthony. But that's all right.

Listen, as a commissioner, what three recommendations will you bring to the commission immediately with regard to racetrack betting in Ontario?

**Mr Annunziata:** Certainly the one I would try to emphasize would be to create the environment to increase the horse stock in Ontario, to increase horses at racetracks so we can have more live racing. That would be of prime interest.

Secondly, the attraction of the Breeders' Cup this year in October is going to provide an excellent opportunity to showcase Ontario racing and I think the industry should take notice. I think people in North America and the world will take notice of Ontario horse racing, and as a showcase piece we can really showcase Ontario racing to invite investment, to invite more horse people to invest in the industry. I would urge operators and people who are inclined to provide marketing advice to the industry to use these pieces as a mechanism to do that.

1430

**Mr Bartolucci:** What is the greatest weakness in the system right now?

**Mr Annunziata:** In the industry?

**Mr Bartolucci:** Yes.



**Mr Annunziata:** As far as I'm concerned, the regulatory body, the Ontario Racing Commission is doing exactly what it was set up to do, to preserve the integrity of the industry, to give voter — not voter confidence, consumer confidence to the industry, and I think that's exactly what it does.

**Mr Bartolucci:** Almost a little slip there. We'll just ignore that.

**Mr Martin:** So who did you work for in the last provincial election?

**Mr Annunziata:** I was a volunteer with the MPP for Niagara South, Tim Hudak.

**Mr Martin:** You had a successful campaign.

**Mr Annunziata:** Yes, he was elected.

**Mr Martin:** Congratulations.

**Mr Annunziata:** Thank you.

**Mr Martin:** How did you find out about this position?

**Mr Annunziata:** One of the people I've been working with, a former commissioner, Mr Herb McGirr, was working in our office at the economic development in Fort Erie when he was appointed by the previous government to be on the Ontario Racing Commission. I've always been in close contact with Mr McGirr and the Ontario Jockey Club and the Fort Erie Race Track. When Mr McGirr accepted a position at the Fort Erie Race Track, I became aware that he had resigned his position and I put in an application to the commission.

**Mr Martin:** Did your local member for whom you worked during the election suggest that you apply for this position?

**Mr Annunziata:** My conversation was with Mr McGirr with respect to the industry, that it would be a good idea to try to maintain an interest in the industry. He knew that I had a passion for horse racing, that I have a passion to preserve the employment base in my area, in my community, in Fort Erie and Port Colbourne, and that there are a lot of jobs, over 5,500 jobs associated with the industry where I live and that it was very important the industry be preserved.

**Mr Martin:** Were you briefed on the work of the commission and are you familiar with the act?

**Mr Annunziata:** Yes, sir.

**Mr Martin:** Can you maybe explain to me in a few words what you think the commission is about and what it does and what the act is about?

**Mr Annunziata:** There's quite a bit of talking I'll do. To put it in a nutshell, essentially with the racing commission it all starts by handing out racing dates. It allocates racing dates to particular racetracks. It provides licences to the operators, the trainers, the jockeys, the drivers, for the particular racetracks. It appoints stewards at thoroughbred racetracks and judges at standardbred tracks to enforce the regulations of the act. Then when enforcement is handed down by the stewards and judges, the committee will assume a quasi-judicial role in hearing appeals to those fines or those acts of indiscretion and will hear and make a decision on the appellant's case.

**Mr Martin:** In other words, it oversees as a regulatory body and makes sure that, as you've said before, the integrity of the operation is there and all of that.

**Mr Annunziata:** Absolutely.

**Mr Martin:** Your job as economic development officer for the town of Port Colbourne and your obvious

keen interest in the racing industry adds importance to your area as an economic stimulant. If it came in your role as a commissioner to a decision at some point, and I suggest it might and could very easily, of maintaining the economic entity that's there and all that entails — and certainly we wouldn't be overseeing it in the way we are if we weren't concerned there is potential for untoward things to happen — and your interest in making sure that it stays intact and the job you have as commissioner to oversee and to maybe make a judgement that might in some way cause the industry to come into question and therefore interfere in its success, how would you sort that out? How would you decide which side of the fence you came down on re that whole issue?

**Mr Annunziata:** The side of the fence I come down on quite frankly is anything that would preserve the integrity of the industry, quite simply. If it compromises the integrity of the industry, there's no point in compromising that because it will affect the entire industry, not only in my backyard but everyone's backyard. My side of the fence would certainly come down to preserve the integrity of the industry.

**Mr Martin:** You don't see any conflict of interest for you at all.

**Mr Annunziata:** I have no ties to particular people at the Fort Erie Race Track or any other racetrack in Ontario.

**Mr Martin:** But you have a personal interest and a professional interest in making sure that nothing happens that interferes in the overall financial success of that particular operation and the impact it has on your region.

**Mr Annunziata:** I'm not quite sure what you're asking, sir.

**Mr Martin:** You have a very personal and professional interest in making sure that this economic entity, the racetrack, stays intact and produces as much revenue and opportunity as is possible. That can often conflict with the way people interpret rules and regulations and the way they, as people are wont to do in almost any industry, stretch the rules a bit here, push a bit there to find a way to fit something in. You don't see that there may be potential for some conflict of interest for you in sitting on a commission such as this?

**Mr Annunziata:** Absolutely not. I think from an operator's perspective, from their profitability — again, that's an operator initiative and that would be an operator objective. My objective is to maintain and to regulate in the industry to provide an environment where people would invest in the industry. I can't see where my conflict would come in, because I don't stand to gain from the operator's bottom line, nor does the commission.

**Mr Martin:** I suggest you do stand to gain. If the raceway continues to be successful and the pieces you add on as economic development officer in that area to that industry succeed and do well and you're able to find a way to make this happen and that happen and stretch a thing here, it is in your professional best interests to make sure that in fact happens. If it comes to a situation where you may have to make a decision that in some way impedes that because you found something somewhere that is not quite according to the rules, you may find yourself in a very interesting and difficult position.



**Mr Annunziata:** I think in that scenario you're right, if that were to occur. I just don't see how that scenario would ever come, because right now the Fort Erie Race Track is in the town of Fort Erie and I do work in the city of Port Colborne now. My marketing initiatives wouldn't affect the town of Fort Erie at all; my marketing is more in the city of Port Colborne. So the opportunity for conflict doesn't exist.

**Mr Martin:** Your comment earlier to my colleague from Sudbury was that you have just this tremendous interest and passion for the racing industry —

**Mr Annunziata:** That's right.

**Mr Martin:** — to make sure that it succeeds at all cost.

**Mr Annunziata:** Personal interest, not at all costs.

**Mr Martin:** That's the sense you get from the way you speak about it. There's no problem there. The problem I have, though, is putting you, then, on the body that's going to regulate this industry and make judgments that sometimes may be very difficult. The other thing I would suggest is that the commission oversees all raceways in Ontario. Would you not again see the potential for some conflict as well in terms of Fort Erie is your raceway and you're competing with Woodbine and issues come up and you want to protect your particular piece of the action? Don't you see there as well some —

**Mr Preston:** That's the same question I asked. You can give the same answer.

**Mr Martin:** But it is, actually. It's a great question. It's a good question and I want to hear the answer again.

**Mr Preston:** Can we play Hansard back?

**Mr Annunziata:** I think my perspective from Fort Erie again is a perspective that I'm not coming in as a cheerleader for Fort Erie or as a proponent for Fort Erie. I think I bring a perspective in that I've been around the racing industry for a long time. The perspective could be of some value to the commission in that I recognize the economic impact of live racing in Ontario. That's what I do bring: a perspective for live racing.

1440

**Mr Martin:** You yourself mentioned earlier the very intense competition that's on right now for the betting dollar. I remember when we were introducing casinos and the battle that went on between the racing industry and our government as we introduced this new entity into the Windsor area. There was tremendous personal interest by people like yourself, economic development officers who saw an attack on your particular piece of that action. You don't see a scenario, a situation at all in your role as commissioner where a decision has to come down that might impact negatively one of your competitors versus Fort Erie and you're saying you have no personal interest as economic development officer for a community in that area?

**Mr Annunziata:** As an economic development officer, obviously I'm concerned with jobs and the tax base. Those are my two objectives.

**Mr Martin:** But which supersedes the other?

**Mr Annunziata:** I don't think either has to supersede the other.

**Mr Martin:** Well, there will come a time —

**Mr Annunziata:** By preserving the integrity in the industry as a regulator on this commission, I think it will lead to the success of the industry, which will provide and enhance the jobs that already exist.

**The Chair:** I'm sorry; we've run out of time, Mr Martin. Were there any more questions on the government side?

**Mr Bob Wood:** We'll waive the balance of our time.

**The Chair:** Mr Annunziata, thank you for coming before the committee and being straightforward in your responses. We appreciate your attendance here.

#### NANCY SLATER

Review of intended appointment, selected by third party: Nancy Slater, intended appointee as member, Child and Family Services Review Board.

**The Chair:** The next intended appointment is Nancy Slater. Welcome to the committee. The committee would welcome any opening comments you might have. It's not necessary, but you may if you wish.

**Mrs Nancy Slater:** Yes, I have. Mr Chairman, members of the standing committee, thank you for inviting me here to appear before you today. I hope you've all had a good summer so far.

I reside in the city of Gloucester, situated in the eastern part of the Ottawa-Carleton region. I am currently employed at the Children's Hospital of Eastern Ontario, where I have been for the last nine years. My involvement with the hospital, the autistic home and Parent Finders has afforded me the opportunity to deal with various areas of Comsoc, particularly with regard to clients under the age of 18.

In the past 10 years I have received five volunteer recognition awards from the city of Gloucester for service in the community. Actually, I believe I'm going to be receiving a sixth one this fall.

As one who has been heavily involved in politics at all levels, people have often sought my help and advice in dealing with different issues, particularly social service issues. While I may be partisan politically, I have always encouraged people to look at issues from all sides of the political spectrum.

I'm here before you because I applied to sit on the board. Although the recommendation may come from the government side, I know I can contribute in a non-partisan way to serve the best interests of the clients.

As a layperson without children of my own, I believe I can be objective in helping to formulate decisions that are both fair and reasonable while promoting the best interests of the child. I look forward to working with the Child and Family Services Board, the ministry and the agencies involved. I will be pleased to answer any questions you may have. Thank you.

**Mr Preston:** Ms Slater, I have read your résumé, and your dedication to serving the needs of children is unquestionable. I've been impressed by your 10 years of volunteer service with the Gloucester Agricultural Society, but I see an absence of letters after your name, and that may concern a lot of people. Mind you, it doesn't concern me. I run a home for boys who have been wayward. When London Psychiatric can't handle



them, they send them to me. There are all kinds of letters behind the names up there; I don't have any letters behind my name. I believe you probably have received all the letters behind your name that are really absent, but you have them anyway because of your experience.

Could you share with us why you choose to work with children with special needs? It's a difficult area.

**Mrs Slater:** I cannot necessarily say I have picked or chosen the special-needs. A lot of things throughout my life have sort of fallen my way. If I don't like them, I leave, but in these particular cases I've enjoyed myself. With the special-needs children, particularly with the agricultural society, that was definitely bringing children back to being kids again, which is something we all need to remember at times. They can be kids and they should be allowed to enjoy themselves.

Regarding having letters after my name, I really don't think somebody with a master's degree makes them any better at caring for someone than someone without. Experience sometimes is a better teacher than a book.

**Mr Ford:** Good afternoon. I understand that while you worked for Ottawa Valley Autistic Homes you liaised with the Ministry of Community and Social Services. You also mention on your résumé that you helped to mediate problems between youths and respective schools. Dealing with troubled youth is what the Child and Family Services Review Board does. Tell us about your experiences mediating problems between youth and the schools.

**Mrs Slater:** Unfortunately, it was a good 10 years ago that I was with the home, and the home had dispersed into more of foster home type of facilities. What was happening is that children with autism — I'm not sure how familiar you are with autism; I'm trying to think of the best way to describe it — were just going to school. Something might come up that would totally destroy their day, you might say, and the school would call the home. Nine times out of 10, I was the one who was at the home; it was my job to be there every day. We would decide just what brought the problem on, the state of the child at that time, whether or not we needed someone there with proper medical type of training in that field immediately or if it was something that could wait till the worker was there with them after school. Some of the kids actually destroyed some classrooms, but there was often reason for, it in their eyes, and it was a way of working with them, the best way of taking care of the child at that moment.

**Mr Ford:** Have you worked with children suffering from apraxia?

**Mrs Slater:** No, I have not.

**Mr Ford:** I see that as a director of Parent Finders you dealt with adopted children and parents. You also assisted in drafting amendments to the Child and Family Services Act re adoption disclosure. How familiar are you with provincial legislation regarding children?

**Mrs Slater:** I'm up to date. Actually, I got this one from the children's aid society in Ottawa-Carleton. While I was with Parent Finders, it was with the Garber report, Bill 77. That was passed July 6, 1987, and that was dealing with items regarding the adoption disclosure registry and adoption disclosure. Parent Finders in the national capital region was always very politically active.

I believe they still are. I helped contribute one way or another with the whole Garber report.

**Mr Ford:** You just answered my next question. Thank you very much.

**Mr Bob Wood:** We'll reserve the balance of our time. 1450

**Mr Bartolucci:** Welcome, Nancy. Let me tell you right from the very beginning that Richard Patten thinks the world of you and said that you are going to be an excellent member of the review board, and I value his opinion highly. After reading your résumé and doing just a little bit of research, let me tell you, you are very much up to the challenge and the job, because it's so important. You know that.

I too have worked for many years — 30 years — with special-needs children. I'm not going to spend so much time talking about the services review board. As a member of that services review board, you're going to have to make some recommendations. You're going to have to be very opinionated. You know that and you're not afraid of that; that's what Richard tells me all the time.

But I have some serious concerns with regard to what's happening with children in the province. I don't want this to be a political, philosophical argument, because that's not what you're here to do. For the committee, and for me personally, what recommendations would you make to the government with regard to children's services? I'm not asking you to be critical and I'm not asking you to be overly supportive, but there is need for improvement in children's services. Can you give us some of your ideas regarding that?

**Mrs Slater:** I would rather not express my own personal opinions on this. With any type of service there's always room for improvement, regardless. I am familiar — not line by line, mind you; I know some areas — with the legislation, but I think that's something the board itself should work with and see which way the government is going. If they do ask for recommendations from the board, I would be happy at that time to — there's always stuff I don't know about either and you don't know until you're right in the situation.

**Mr Bartolucci:** That's valid and that's fair. What's your understanding of the board's jurisdiction, though? You're going to be sitting on this board. What do you view your role to be?

**Mrs Slater:** My role, and I feel the whole board's role — it sounds so rehearsed and that, but it's not — is to promote the wellbeing of children. As I said earlier, children should be allowed to be kids. That's something all adults tend to forget, and unfortunately there's a lot of children out there these days who are not allowed to be.

**Mr Bartolucci:** I agree with you very much. Your description of what happens with autistic children sometimes in the school setting obviously can go to developmentally handicapped children, learning-disabled children, special-needs children and a variety of —

**Mrs Slater:** To me, they're all under special needs.

**Mr Bartolucci:** Yes, exactly.

**Mrs Slater:** They all are special and they all have needs.



**Mr Bartolucci:** Good. What improvements to special-needs children do you see are most necessary for your board to deal with?

**Mrs Slater:** For the board to deal with? Generally, I would say public awareness. There, again, that can go back to my days with the agricultural society. I would have to wait and see exactly how this board is formed. You don't know until you're there. I don't have initials after my name, remember.

**Mr Bartolucci:** Don't worry about those because your dedication speaks for itself, and that's all the initials in the world anybody ever needs. Do you see that there is a correlation, though, between ministries with regard to children's services — the Ministry of Education and Training, the Ministry of Community and Social Services, the Ministry of Health etc?

**Mrs Slater:** Yes.

**Mr Bartolucci:** You think there is, eh? How best could you liaise between those ministries? If I was sitting in your position, and I guess I'll get a little bit political, I think there should be a minister responsible for children's services. Do you think that's such a crazy idea?

**Mrs Slater:** It definitely has pros and cons, doesn't it?

**Mr Bartolucci:** With sole responsibility. Do you think that would be a way of ensuring that those special-needs children, those children who so often fall through the cracks — I know once you're a board member you're going to ensure that happens on a much more infrequent basis, but I worry about those special-needs children we've unknowingly forgotten because they fall through the cracks.

**Mrs Slater:** My understanding right now under community and social services — they usually liaise between the different ministries to ensure that these different areas are taken care of. But that's certainly giving me something to think about; interesting.

**Mr Bartolucci:** One final question is, what do you see will be your most critical role when you become a board member?

**Mrs Slater:** I find that one difficult to answer. One thing Richard may not have told you is that I have a very difficult time tooting my own horn.

**Mr Bartolucci:** Well, he was tooting it for you; trust me.

**Mrs Slater:** You mean I should have him here now?

**Mr Bartolucci:** You don't need him here now.

**Mrs Slater:** It's very difficult for me to say. I haven't thought of it. I've tried to be a team player in anything that I have been involved with in the past and I'll have to learn more about it before I can answer you. I'm sorry.

**Mr Bartolucci:** Good luck with it.

**Mrs Slater:** Thank you.

**Mr Martin:** Thank you for coming today. I was just wondering if you are a member of the Progressive Conservative Party.

**Mrs Slater:** Yes, I am.

**Mr Martin:** Are you any relation to Jeff Slater?

**Mrs Slater:** Yes, one could say that.

**Mr Martin:** And he was —

**Mrs Slater:** I'm sorry, Mr Martin. I can't hear you very well.

**Mr Martin:** I'm sorry. I can't hear myself too well either today. I spent too much time at the beach with my kids over the last month. I think I've got sand and stuff in my ears. I'm not sure what it is.

Jeff, I believe, is your spouse, and he was the PC candidate in the last election in your area?

**Mrs Slater:** That's correct.

**Mr Martin:** Do you agree with the agenda of the government, both as it was spelled out in the Common Sense Revolution and as it's beginning to unfold in the last little over a year in Ontario as it pertains, given your appointment here, particularly to children and the care of children?

**Mrs Slater:** There hasn't been much on the agenda that has come out regarding this area from the government.

**Mr Martin:** Regarding children?

**Mrs Slater:** That's correct.

**Mr Martin:** Okay. I would suggest —

**Mrs Slater:** You're being a bit unfair, I think, Mr Martin. I mean, just because my husband was a candidate does not mean that I should be erasing the past 15 years of my life.

**Mr Martin:** All I'm asking is if you support the agenda of this government as it unfolds in the province, particularly as it affects —

**Mrs Slater:** What exactly does that have to do with this particular appointment?

**Mr Martin:** I think it's important. I mentioned here a couple of times today that we're in a position here where in a very short time we're to make a judgement on a person's suitability re an appointment to a particular board or commission that's going to affect the lives of some very vulnerable people, in this instance. I want to make sure, if I'm going to support that person —

**Mrs Slater:** Mr Martin, I can assure you that what I will be supporting is this, which has been put together over the past I don't know how many years by all parties. I believe in being very fair and just. We are dealing with children.

**Mr Martin:** What I need to know, though, is what else you're bringing to the table by way of your attitude and approach.

**Mrs Slater:** I have supported this government in the past, and I do not see any reason why I would not be supporting it in the future. But my main goal is the legislation.

**Mr Martin:** Okay. That's fine.

The cabinet of this government approved six new members to the Child and Family Services Review Board on July 17, and earlier this year they appointed six or seven other new members. This sweeping change was made possible by not reappointing any members who were previously appointed by the previous government. Do you think it would be right that should another government come in in a couple of years and you happened to be there and for very political —

**Mrs Slater:** That has happened in the past.

**Mr Martin:** It may happen, but should it happen, for very political reasons?

**Mrs Slater:** Not necessarily, but it has happened in the past, by all governments.



**Mr Martin:** Are you approving of that?

**Mrs Slater:** I am familiar with it.

**Mr Martin:** Are you approving of it?

**Mrs Slater:** I don't necessarily agree with it, but that is a fact of life.

**Mr Martin:** For political purposes, a whole board is wiped out and a whole new one is brought in. As a matter of fact, it's interesting, and this really doesn't have a whole lot to do with you but it certainly does with this committee; it's the context within which we operate here: "Tory Actions Illegal, Court Rules" in the appointment of members to the Ottawa-Carleton police services board in the middle of two-year terms of already sitting members of that board.

**Mrs Slater:** I'm fully aware of that.

**Mr Martin:** Okay. I just thought it was an interesting little piece of information.

**Mr Ted Arnott (Wellington):** It's totally irrelevant.

**Mr Martin:** It's not totally irrelevant; it's actually very relevant. It's what is unfolding here around this table week after week as your government continues down the road of implementing the Common Sense Revolution, and I suggest to you that it's not in the best interests of families and children. I want to know if the people you're appointing to some of these boards that make decisions that affect very directly the lives and the livelihoods of children are people who really have the best interests of children at heart.

**Mrs Slater:** Mr Martin, I can assure you that the Children's Aid Society of Ottawa-Carleton — this is their book; they knew I was coming down here for this board today — had no problem with my having the legislation to help review. I believe I have some support from Mr Gill's office itself, the director of children's aid in Ottawa.

1500

**Mr Martin:** Do you agree it was right for this government to take 21.6% of the income of the poorest of our families away from them and with the impact that has on their ability to feed their children?

**Mrs Slater:** I suggest you ask our government members.

**Mr Martin:** But do you agree with that? Do you support that approach?

**Mrs Slater:** I suggest you ask our government members.

**Mr Martin:** I need to know if in supporting your appointment to this —

**Mrs Slater:** I'm sorry, Mr Martin. I will not answer that. Mr Chair, I also do feel that this line of questioning has become rather inappropriate and has absolutely nothing to do with this particular appointment.

**The Chair:** Since you've directed the question to me directly, there is a long tradition in this committee of allowing members to ask very pointed questions, of all political parties, regardless of the party that's asking the questions.

**Mrs Slater:** I realize that, Mr Chair, but these questions have absolutely nothing to do with this particular appointment.

**The Chair:** To be fair, we're talking about child and family services and I would just encourage Mr Martin to

stay on that tack of dealing with child and family services.

**Mr Martin:** I would suggest to you that it's going to make it really very difficult for me to support your appointment unless you're willing to share with me some of your attitude towards the care of children and some of what this government is doing that I suggest to you is very much anti families taking care of their children at home by way of the income that they receive and the cost of doing that because of some of the initiatives they've introduced. I want to know who we're appointing to this table that will decide on where we put some of these very vulnerable children once they end up out of their homes because their families can't take care of them any more. If you don't want to answer that, I guess that in itself speaks to me.

**Mr Preston:** With her background and her qualifications, just because she won't knock the government, you're going to vote against it?

**The Chair:** Let's let Mr Martin pursue his line of questioning, Mr Preston.

**Mr Martin:** If the intended appointee is not willing to answer or participate in this discussion any further, then I guess, Mr Chair, I'm finished.

**The Chair:** Are there any other comments or questions? We have a little extra time.

**Interjection:** No further questions.

**Mr Bob Wood:** We'll waive the balance of our time, Mr Chair.

**The Chair:** That concludes the review of Mrs Slater's appointment. Mrs Slater, thank you for coming before the committee and answering questions.

That concludes the review of appointments for the day, except there remains the question of concurrence.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Annunziata.

**The Chair:** You've heard the motion from Mr Wood. Do you wish to wait until —

**Mr Bob Wood:** I'll reserve my comments.

**Mr Martin:** I'm not going to be supporting this appointment, not that I don't think the candidate is capable, talented, committed and a professional person in his life as the economic development officer for his community.

I guess there are two reasons. One, I just find it difficult to participate with this government in its wont to reward ex-candidates and campaign managers of candidates to positions of this sort. Even more importantly, though, I think he's going to find himself continually, for the various reasons that I outlined in my questioning, in conflict of interest. That would not be, in my mind, in the best interests of the racing industry as a whole, nor would it be in the best interests of the public out there, whom we have a responsibility through commissions such as the racing commission to protect. So I will not be supporting this appointment.

**Mr Bartolucci:** I will be supporting the appointment, and I will be because I honestly believe Mr Annunziata presented himself extremely well, very honestly, and I think he's bright and he's got a few good ideas that will enhance the commission and racing in general.



I only wish he would have said that he wanted to be a candidate in the next provincial election. I think it was there, it was pretty close, but I just wish he would have said it. But little sins are forgivable. I think he will be a very, very good appointment. I think he will also be a very honest appointment. He answered the question to my satisfaction when he said he's only interested in protecting the integrity of the industry. I don't think you can ask much more from an individual who sits on a commission. Integrity is all-important in the minds of the people of Ontario and I think he'll protect that, so I will be supporting him.

**The Chair:** Are there any other comments on Mr Wood's motion of concurrence? If not, are you ready for the question?

All those in favour of this appointment? Opposed? It's carried. Thank you for that.

The next one is the intended appointment of Mrs Nancy Slater to the Child and Family Services Review Board.

**Mr Bob Wood:** I move concurrence in the proposed appointment of Nancy Slater.

**The Chair:** Any comments on Mr Wood's motion?

**Mr Martin:** I won't be supporting this appointment either, for a couple of reasons, one similar to the last. I will not be a party to this government and its practice of — we've seen it over and over again — rewarding those who either ran as candidates or are related to candidates or managed campaigns in the last provincial election.

Even more importantly, I think notwithstanding Ms Slater's excellent background and résumé, her reticence to enter into a discussion with me about those issues that underpin her ability and her ability on our behalf to look out for the best interests of very vulnerable children and families in this province means I just cannot find it in my wisdom at this particular point in time to support that appointment.

**Mr Preston:** I don't believe there's anything in this lady's background to suggest that the underpinnings will be affected at all. If we look at southern Ontario and if we discount everybody who ran, helped or was related to a PC who won, there would be very few people for any committees.

**The Chair:** Any other comments?

**Mr Bartolucci:** I wasn't going to say anything, because I am supporting Nancy. I'm a little bit upset that she didn't answer the question, but her background tells me that she has a great concern for children and for family support services and that she will be a good member. But you know, I have to take exception with Mr Preston's comments.

**Mr Preston:** That's nothing new.

**Mr Bartolucci:** They're appointing people from Quebec because they can't find anybody in northern Ontario to sit on the Ontario Northland Transportation Commission.

We'll support Nancy's appointment, definitely.

**The Chair:** Any other comments on Mr Wood's motion? If not, are you ready for the question?

All those in favour of this appointment? All those opposed? The motion is carried. Thank you for that.

I would say to members of the committee that there are two somewhat administrative items to deal with, if you could stay for just a couple minutes.

One has to do with the next meeting, which was scheduled for September 4, which is a Wednesday again, I guess. At this point in time we have nothing before us in terms of candidate selections. However, that's likely to change because there's going to be at least one more cabinet meeting before then, maybe two, I believe. Therefore, may I suggest to members, if it's acceptable to you, that we have a phone conference to constitute the subcommittee meeting. Do you agree with that? Let me float a date for you, and if I could be self-serving in this regard, it fits in with my schedule, but we can alter that if it's not convenient. That would be August 28.

**Mr Bob Wood:** What day of the week is that?

**The Chair:** That's a Wednesday.

**Mr Preston:** That's pretty difficult to remember if members are going to be running across the top of the province.

**The Chair:** This is just the subcommittee, now.

**Mr Preston:** It's just the subcommittee? Do as you wish, then.

**The Chair:** A conference call on the subcommittee. But we can make it another day if that's a problem.

**Mr Bob Wood:** The only issue I raise is, is there enough time to get the witnesses there if the meeting's on the 4th?

**The Chair:** It would be one week.

**Mr Bob Wood:** Does anybody know: When's the cabinet meeting?

**The Chair:** Next week for sure.

**Mr Bob Wood:** Judy, do you know when the cabinet meetings are in August?

**Interjection:** August 14.

**Mr Bob Wood:** The 14th. That's the only cabinet meeting? So anytime after the 14th, I would suggest.

**The Chair:** I'm not sure what I'm hearing here. Is the 28th too late to ask people to come? Do we have a history of that?

**Mr Bob Wood:** It's a week.

**The Chair:** A bit more time? Okay.

**Mr Bob Wood:** This is for a subcommittee meeting.

**The Chair:** For a subcommittee meeting. We usually try to do it — we've done it before; it's a conference call. But Tony, are you going to be around as Vice-Chair?

**Mr Martin:** Yes.

**The Chair:** So if I'm out of the province — in fact, my holidays are in August this year.

**Mr Martin:** Yes, I'll be around. I'm not going anywhere.

**The Chair:** So do you want to do it the week before that, then? That's the 21st. It doesn't have to be a Wednesday either.

**Mr Bob Wood:** That's fine with me.

**Mr Bartolucci:** If we did it on the 20th, Bruce would be in Sudbury with the VLTs. It might be easier to come to my office, and you'd be in Sudbury.

**The Chair:** No, I won't be.

**Mr Bartolucci:** Oh, you won't be. Sorry.

**The Chair:** Okay, do you want to do it on August 20? The 20th is fine by me. Tony? That's a Tuesday.



**Mr Martin:** Yes, I'm working.

**The Chair:** Okay, so you're okay on the 20th and probably Bruce can —

**Mr Bartolucci:** Bruce will be in Sudbury, no problem.

**The Chair:** Bob, do you know what your schedule is?

**Mr Bob Wood:** Basically, I want to avoid Mondays and Fridays.

**The Chair:** Okay, so Tuesday, August 20, might be all right. Why don't we try to do that, then.

**Mr Bob Wood:** I think I'm in London, but that makes no difference.

**The Chair:** Fine. The only other item is, have members been given these expense sheets?

**Mr Preston:** I thought we didn't get those any more.

**The Chair:** This is what's been bothering me. There are expense sheets for members of committees because you are allowed to declare travel, accommodation and meal expenses associated with committee work. I put this

in the friendly advice category. It is to your advantage to claim it on here rather than your general legislative expense claim. That's certainly what I intend to do.

**Mr Preston:** Apparently they said that if you put it on your general expense, you identified it and it went to the proper committee rather than coming off your budget.

**The Chair:** Well, you can try that if you like.

**Mr Preston:** No, I'll take one of the sheets.

**The Chair:** I'd take these and you send it directly to the finance branch, except that it's — if you've got an air ticket, put it on, if you've got mileage put it on, if you've got meals, put it on, but make sure you have receipts for that, except mileage, but receipts for it.

*Interjection.*

**The Chair:** It's up to you. Nobody's telling you you have to do that. All right, that's it. Thank you all very much. See you later.

*The committee adjourned at 1514.*





## CONTENTS

Wednesday 7 August 1996

<b>Intended appointments</b> .....	A-423
Dr Roger Higgin .....	A-423
Mr Bob Hopkins .....	A-427
Mr Douglas Colbourne .....	A-430
Mr Anthony Annunziata .....	A-438
Mrs Nancy Slater .....	A-441

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Martin (Sault Ste Marie ND)

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- Mr Bruce Crozier (Essex South / -Sud L)
- Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- Mr Bert Johnson (Perth PC)
- Mr Peter Kormos (Welland-Thorold ND)
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- Mr Gary L. Leadston (Kitchener-Wilmot PC)
- \*Mr Tony Martin (Sault Ste Marie ND)
- Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

- Mr Ted Arnott (Wellington PC) for Mr Doyle (*afternoon*)
- Mr Harry Danford (Hastings-Peterborough PC) for Mr Doyle (*morning*)
- Mr Ernie Hardeman (Oxford PC) for Mr Johnson
- Mr Bruce Smith (Middlesex PC) for Mr Newman
- Mr Wayne Wettlaufer (Kitchener PC) for Mr Leadston

**Clerk / Greffier:** Mr Todd Decker

**Staff / Personnel:** Mr Lewis Yeager, research officer, Legislative Research Service



A-26

A-26

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 4 September 1996

# Journal des débats (Hansard)

Mercredi 4 septembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

**Intended appointments**

**Nominations prévues**



Chair: Floyd Laughren  
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LEGISLATIVE ASSEMBLY OF ONTARIO  
STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 4 September 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO  
COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 4 septembre 1996

*The committee met at 0933 in room 228.*

SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The committee will come to order. Welcome back, members. This morning and this afternoon we have a pretty full agenda. The first item on the agenda is the report of the subcommittee dated August 21. Is anyone interested in moving its adoption?

**Mr Bob Wood (London South):** I so move.

**The Chair:** Mr Wood has moved its adoption. Is there any debate? All in favour? It's carried. Thank you, Bob.

INTENDED APPOINTMENTS

JIM CAMERON

Review of intended appointment, selected by official opposition party: Jim Cameron, intended appointee as member, motor vehicle dealers compensation fund board of trustees.

**The Chair:** We move on to the second item, which is the intended appointment of Mr Jim Cameron to the motor vehicle dealers compensation fund board of trustees. If you can handle that title, Mr Cameron, without its going to your head, you'll be a worthwhile appointment. We welcome you to the committee. We have a tradition of allowing the person to say whatever they want to say for a while and then we move to each of the other parties for questions. If you want to make an opening statement, you're more than welcome.

**Mr Jim Cameron:** Thank you for meeting with me today and giving me an opportunity to discuss this appointment. Just to fill you in a little on my background, I'm 48 years old, a resident of Etobicoke. My wife and I have three children. I'm a chartered accountant and am a partner in the Markham office of KPMG Peat Marwick Thorne. I chair our firm's automobile dealer network and have a practice which deals almost exclusively with owner-managed businesses, and a very large portion of my practice relates to automobile dealers.

I graduated as a chartered accountant in 1971, left public accounting, and was the secretary-treasurer initially and, latterly, the new car sales manager with a large General Motors dealership here in Toronto.

I'm very much involved in the community. I am currently the chairman of the Credit Valley Hospital Foundation in Mississauga. I'm a volunteer account executive for the United Way of York region. Previously, I've had a number of positions with the Humber Valley Hockey Association, including coach, convenor and vice-president of the junior division. I've coached with

Islington minor baseball and am the past president of the Mississauga Dixie Kiwanis Club.

I've been asked to address compensation. You're aware that I'm a chartered accountant with a public accounting firm. In this particular instance, I understand that the members of this committee are paid \$85 per day, and I think that's appropriate, but it is significantly less than my normal chargeout rate.

Why do I think I should be considered? I am a chartered accountant with a strong background in owner-managed companies. I have experience with automobile dealerships. I'm experienced in arbitrating business separations. I have a conciliatory and flexible attitude. I'm conscientious and fair-minded. I have good written and oral communication skills, good interpersonal skills, and I think I'm objective. Thank you.

**The Chair:** Thank you, Mr Cameron. Are there questions from members of the government?

**Mr Dan Newman (Scarborough Centre):** Good morning, Mr Cameron, and welcome to the committee. In reading through your résumé, given the board your appointment is to, the motor vehicle dealers compensation fund, and given the fact that you say you're fairminded and objective, some people still might say there might be a potential conflict of interest in that you are an audit partner for KPMG, heading up the automobile dealers section. Do you see any potential conflict of interest, where you might have clients of yours in an accounting firm, yet you're dealing with something before the board?

**Mr Cameron:** I don't think that's likely. To a large extent when you're dealing with these situations, they're dealerships in bankruptcy. If a person has a conflict of interest I think you state it and abstain. There are also automobile dealers in this group, and I know the legislation enables them to absent themselves from anything affecting them. I doubt there would be much in the way of a conflict of interest, but I wouldn't know that unless and until I was there.

**Mr Newman:** Does KPMG do any work in insolvency?

**Mr Cameron:** Sure we do.

**Mr Newman:** So potentially —

**Mr Cameron:** Probably in these situations, the appointments with respect to insolvency and everything would be made. Based on my review of the legislation, it's pretty straightforward as to whether an individual is entitled to compensation. I shouldn't think it would matter what involvement we may have as a liquidator or a trustee in bankruptcy.

**Mr Newman:** What would you define as a conflict of interest if something came before you? Say, for example, you're on the board; what would it take for you to say,



"No, I'm not going to rule or partake in the decision-making in this case?"

**Mr Cameron:** If it appeared that you had any bias at all, even if it was in appearance only, you would not be involved, and that's what our rules of professional conduct as a chartered accountant would require.

**Mr Newman:** So you would be willing to step aside on those decisions that —

**Mr Cameron:** Absolutely. I think that would be expected.

**Mr Newman:** So I have your assurance that you would?

**Mr Cameron:** Absolutely.

0940

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Mr Cameron. I have three questions lined up if we have enough time. I'll start with the first one. What is the avenue of appeal that may be followed if a consumer feels unsatisfied by a decision of this board?

**Mr Cameron:** There's a review process or appeal process.

**Mr Ford:** Please tell the committee about your automotive experience. I see on your résumé that you have previously been employed by Roy Foss Motors as secretary-treasurer and presently are chairman of the national automobile dealer network of KPMG.

**Mr Cameron:** It was 1975 when I returned to public practice from the automotive business. I dealt, because of my background, with a number of automobile dealerships as clients, and that part of my practice has grown. It's a part of the practice that I'm very interested in. I chair a network within the firm that helps address the issues the dealerships are facing and enables us to expand our business in terms of serving automobile dealerships.

**Mr Ford:** How many years were you in that —

**Mr Cameron:** Five years.

**Mr Ford:** What is the maximum claim amount that can be paid out by the fund?

**Mr Cameron:** It's \$15,000 per claimant.

**Mr Ford:** It's \$15,000? Good.

**Mr Cameron:** From \$10,000.

**Mr Marcel Beaubien (Lambton):** Thank you, Mr Cameron. Further to Mr Ford's question, do you feel there are adequate funds within the fund to pay the claims submitted to it?

**Mr Cameron:** I would suggest that the funds seem probably more than adequate. I note there's a surplus of about \$6 million cash on hand. In the 10 years the fund's been operating, you've paid out \$700,000. It seems to me that there are lots of funds available.

**Mr Beaubien:** While we're talking about claims being made to the fund, what is the most common type of claim presented to the fund?

**Mr Cameron:** Never having sat on the fund, I don't know the answer to that. I fully expect it's bankruptcies, where there are customer deposits involved and the people have not received their automobiles.

**The Chair:** That's a substantial reserve fund. It's not as much as the doctors have in the malpractice fund, but still substantial.

**Mr Cameron:** As a chartered accountant, it appears to me that it will cover. It won't be necessary to increase the fees.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mr Cameron. Under Bill 54, the Safety and Consumer Statutes Administration Act, the move is afoot to have the fund and various aspects of the motor vehicle industry be self-regulated in terms of the industry itself having control of this particular program. Can I ask what you think of that? Obviously, there is some level of concern that if it's regulated by those among the industry it might make a difference in terms of consumer trust, I suppose, but also just in terms of whether there might be a change in the priorities.

**Mr Cameron:** As you may perhaps be aware, chartered accountants are a self-regulated profession. I personally believe that's healthy. In a self-regulated industry or profession, the people involved tend to be very concerned and want to make sure they're dealing with things fairly. It tends to be the leaders who are going to regulate the profession or the industry, and sometimes they really overstep to ensure the fairness. I think the fear everybody has is being regulated by individuals who aren't familiar with the business or the profession. I think self-regulation is excellent and, with the benefit of hindsight, I think one would find that it was probably successful, even in this industry, which I know has been slightly tarnished over the years, I think with some reasonable justification.

**Mr Gravelle:** I notice in the research material provided to us — and you mentioned that \$700,000-plus has been paid out, and I think the number of cases cited was 308. I don't know whether that's a lot or a little. It doesn't sound like a lot, that from 1986 to now there have been 308 cases. I guess it's that the consumer has to come forward, rather than — as the system stands, does the consumer have to come forward to make a claim? Is it based more on the industry? In other words, is it consumer-driven or is it the other way in terms of how people can access the fund?

**Mr Cameron:** I would expect it's probably consumer-driven. If you're dealing with a bankruptcy, in all probability the trustee is aware of the compensation fund. If he's dealing with creditors who are customers, they would probably steer the individuals to the compensation fund. I also think we're probably dealing with a situation in Ontario where there haven't been that many failures of automobile dealerships. The deposit funds are held in trust in any event, so if the dealer has complied with the regulations those funds should not be at risk and it should be possible for the customer to receive the funds anyway. I know the Toronto Automobile Dealers Association has posted a bond that covers its members. My guess is that there's not a lot of abuse in this particular area. There may have been when the legislation was first written, but I think the dealers comply pretty well with the legislation such that there are not problems refunding the deposits.

**Mr Gravelle:** The question of unregulated car sales in Ontario: I think the figure is somewhere around 200,000. That's a lot.

**Mr Cameron:** It is a tremendous number.

**Mr Gravelle:** Do you see the fund being able to get involved in that aspect of the business; in other words, expanding the area they generally deal in? Obviously, it's one that car dealers themselves would be very interested in having changed.



**Mr Cameron:** Yes, the car dealers are very interested in that. I noted that it was in the list of their three recommendations. Of course what's happening is that those referred to as curbsiders are taking some of the revenues the dealers might otherwise get if they were selling the units. I know the dealers would also like to see GST charged on those curbsider cars, because the individual has an advantage over the dealer in selling that vehicle because he doesn't have to charge GST.

That whole area is probably very, very difficult to control. The people who are doing it are advertising in the papers as though they were the owners of these vehicles but they have purchased them somewhere else, and they're here today, gone tomorrow. That's probably the difficulty. I'm not saying they're all like that, but that tends to be a problem. A consumer who has been taken advantage of or who hasn't been dealt with properly has no recourse and the person from whom he's purchased the vehicle has disappeared.

It's a problem in the industry. Whether this fund is able to deal with it, I don't know. I suppose the premise probably was that the dealers contribute to the fund and there's protection for the consumer in dealing with the dealer, so why would you not deal with the dealer as opposed to a private individual? If indeed it's intended that the industry fund the program, it seems appropriate to me that only the customers of the people funding the program would be protected.

**Mr Tony Silipo (Dovercourt):** Thank you, Mr Cameron. Under the areas contemplated for self-regulation are, as I'm sure you're aware, such areas as registration and accreditation of members of the industry, investigation of consumer complaints, suspension or revocation of registrations, and prosecutions. Just to follow up on some of the discussion you were having with Mr Gravelle on this question of self-regulation, would it be your view that all of those are areas that would be appropriate to be under the self-regulating aspect of the industry?

**Mr Cameron:** I think it probably would. That's the way other self-regulated professions and industries work. There would be a committee, probably not dissimilar from this group, that would make the decisions about disciplining their members and how they should be disciplined. In fact, sometimes those may be the best people to determine how to discipline the dealers who are not complying with the regulations because it gives everybody a bad name. I personally believe you would find such a group very responsible, and it may be difficult to be only partially self-regulated.

**Mr Silipo:** How would you deal with the concern I have and which I know many others have expressed, which wouldn't be just in this area but generally in terms of the whole question of self-regulation, which is: How can that be done in a such way that we assure the public it is being done as strictly as if it were done either by members of the general public outside of the industry appointed by government, or indeed by government itself?

0950

**Mr Cameron:** I think you'd have to make it quite clear to the industry that their responsibility is to look

after the members of the public, and that in the event they prove they were unable to do that or didn't do it satisfactorily, they would have to answer to a committee or a group. I think you would review their performance, and you've certainly got information from the past that you can compare their performance with. I don't think that's so much a matter of, how do you protect the public, as it is, how you deal with an industry that regulates itself?

**Mr Silipo:** Mr Cameron, you certainly strike me as somebody who comes to this position with a fair amount of knowledge about some of the areas and work that needs to be done. I say that because I want that to be on the record and, second, because in my short stint on this committee that hasn't always been my experience. I very much appreciate seeing that in your presentation this morning and in your answers to our questions.

There's one other question which is a standard question for us. I guess it's a two-parter. First of all, I'd be interested in hearing how you became interested in this position and, second, I'd be interested in knowing whether you are a member of the Conservative Party or indeed any other political party.

**Mr Cameron:** I became aware of this position through a friend of mine, a fellow by the name of Brian Caldwell, who's the executive director of the Canadian Association of Japanese Automobile Dealers. He's a person that I work with quite carefully.

To answer the question, am I a member of any political party, the answer's probably yes, but I'm not positive. If the answer is yes, it is the Progressive Conservative Party, but I think all that does is give me an opportunity to vote. Having made contributions in the past, which sometimes our firm members are required to — and I've made contributions to parties other than the PC Party — I think there's a strong possibility that I am, but I don't honestly know.

**Mr Silipo:** Okay. Thank you.

**Mr Cameron:** Do you?

**Mr Silipo:** Do I what, sir?

**Mr Cameron:** Do you know?

**Mr Silipo:** Do I know if you are?

**Mr Cameron:** Yes.

**Mr Silipo:** I don't, no. That's why I asked the question. Sometimes we know, sometimes we don't know. In this case I would also say that as far as I'm concerned it doesn't particularly make a difference, but I think it's important for us to know for the record, because we do review on this committee, as you know, a number of appointments — not as many as we might like, but it is the one opportunity we have as members, not only of the opposition but indeed of the government, to review people who are recommended for appointments. From my perspective, it's useful to know when people have political affiliations, if they do.

**Mr Cameron:** Just for any other members who may be interested in that, I see that as being a non-issue. I'm not political.

**Mr Silipo:** I would agree with you that it should be a non-issue, Mr Cameron. It's sometimes become an issue, and I think it's important that we have that information out very clearly. I believe it's quite appropriate to appoint



people to various agencies, boards and commissions who do have political affiliations to any of the three main parties or indeed any other political party. I don't think it's something that should be held against them, but unfortunately in the past it's become an issue — it's been made an issue by members of the governing party today — so it's important that we have that information on the record.

As I said, I'm quite impressed with the credentials you bring to this position and I will certainly be more than happy to support your appointment to this board.

**Mr Cameron:** Thank you very much for your kind comments.

**The Chair:** Are there any other questions?

**Mr Bob Wood:** We'll waive the balance of our time.

**The Chair:** Mr Cameron, thank you very much for your appearance and for your thoughtful responses to the questions.

**Mr Cameron:** Thank you for your time.

#### EDWARD WETHERALL

Review of intended appointment, selected by official opposition and third parties: Edward Wetherall, intended appointee as part-time member, Town of Port Hope Police Services Board.

**The Chair:** The next intended appointment is for Mr Ed Wetherall to the Town of Port Hope Police Services Board. Mr Wetherall, we welcome you to the committee and offer you the opportunity to say a few opening remarks, if that's your wish. It's not required, but if you wish.

**Mr Edward Wetherall:** Thank you, Mr Chairman. I was pleased to note that I was a unanimous choice of all the parties to appear before the committee. It makes me feel a little wanted.

**The Chair:** That's one way of putting it.

**Mr Wetherall:** Just to give you a very short rundown on my background, I came to Canada in 1950 from Ireland and started to work for IBM, and I spent 11 years with IBM. I moved up the ladder reasonably fast, and eventually took over as plant manager of General Instrument. The company was 25 people at that time, but during my tenure, leadership, grew to 400 people. During this period I felt it was necessary to give something back to my community, so I got into public service work with the Kinsmen Club, for one, and the Rotary Club for another — not at the same time, but at different times — and eventually I was approached to run for councillor, so I spent 10 years on the council in Ajax. I was chairman of the finance and legislation committee, and chairman of the police committee for a time, and chairman of the negotiating committee, and chairman of the fire committee.

There's one little anecdote as far as that is concerned that I would like to leave with the committee, because it reflects my belief in public service. As chairman of the fire committee, and also chairman of the finance and legislation, I think the firemen thought they had an easy mark. Sixteen of them arrived at my house one night in a fire truck and said "We need this and we need that, we need a smoke extractor, we need a rescue truck" and so on. So after a little refreshment I said: "Look fellows,

you've got wives. Are they involved with you?" They said, "No, they're not involved." So I said: "You've got a good hall. Why don't you get your wives involved and run some euchres and other things and raise some money for the fire department?" So they did.

To complete the story, I hear the sirens going one night and the fire truck comes down the street and into my driveway. They came in and gave me a card and a box of cigars and they said, "To the best damn fire chairman we've ever had." And that was my thanks for anything I'd done in getting these people to do something for themselves.

After I completed my service in Ajax, because I'd played a leading role, I moved to Toronto and I became chairman of the borough of York planning board, three years, and then I was on the Metro planning board.

Subsequently, when I retired from General Instrument, I moved to Port Hope. The only involvement I've had in Port Hope has been with the hospital board, as chairman of the committee which did the planning for the 21st century.

I guess that wraps up a short background of my involvements. It's been work and service for the last 40 years.

**The Chair:** Thank you, Mr Wetherall. Are there any questions?

**Mr Beaubien:** Good morning, Mr Wetherall. I'm glad to see that you're apolitical. I was not going to ask you a question as to your political affiliation, because I think, if you're going to sit on the police services board, political colour makes no difference. In your preamble you mentioned that work and service in your community are very important. I agree with you, and I fail to see, if you belong to one party as opposed to another, where that would make a difference, because you are dealing with local issues.

As a former long-standing municipally elected official, I'm sure you gained an awful lot of experience. What do you feel were some of the main criteria you learned when you were an elected official to prepare you to deal with the policing needs of the 1990s?

**Mr Wetherall:** To go back to your first remark, I don't think any of us here are ashamed of our political affiliation. We all have had some.

I think it's my background in management, in budgeting — budgeting has been my forte — my commonsense approach to the subject, and also my research and my knowledge of the subject. I don't think you can do that in the time I've had, the last week, but it can be done over a short period of time, six months to a year into your tenure. I've always been a person who sat back and listened and then became quite active in the process, having finished up as chairman in most of the areas I worked in.

1000

**Mr Ford:** Good morning, Mr Wetherall. I just read your backgrounder here and it impressed me that you had 300 employees in a 40,000-square-foot plant. You must have been well organized in there.

**Mr Wetherall:** It was well organized.

**Mr Ford:** I know the size of a plant with 300 people is a lot of people in that 40,000 square feet.



**Mr Wetherall:** Yes, well, the type of work that we were doing was in electronics.

**Mr Ford:** It must have been small.

**Mr Wetherall:** Yes, it was a small area. Probably a desk like this would hold one to two people.

**Mr Ford:** Another thing I was impressed by is that you're an ex-Rotarian or you're still a Rotarian.

**Mr Wetherall:** No, I've retired from the Rotary.

**Mr Ford:** My basic questions here, I have two of them. What are some of the community concerns in Port Hope with regard to policing issues and police services?

**Mr Wetherall:** There's one big issue at the present time, and I'm not in total agreement to council's response to it, and that is vandalism. That is our big problem right now. Port Hope doesn't have the problems of the big city, but they have one problem, and that is vandalism. Now, the council has come out with a policy of paying 10% of the damage to someone who will — "snitch" is not the right word, but will report the person and see that they come to justice, a minimum of \$100. I don't believe that is the answer. I believe public policing on a voluntary basis is the answer, that people become aware that this is costing them money and this is their property, and they willingly report back to the police or call the police.

There's one thing that I found when I called about something. I tried to find a number other than 911 and I couldn't find a number. I couldn't find it in the blue pages, and I think it is completely wrong that the 911 number should be used to the extent it is. I think it should be a separate number just to call the police station and say, "There's a problem in this area." I'm sure they must be inundated with calls on 911 when it should be for, I think, an absolute emergency.

**Mr Ford:** Don't they have a regular number?

**Mr Wetherall:** There's a regular number, but I couldn't find it published anywhere. I had to call the town hall to get it. I don't know how it is in other municipalities.

**Mr Ford:** That's a good answer, anyway.

Why is it important to you to make a contribution to your community by serving specifically on a police services board?

**Mr Wetherall:** It brings it very close to my family. We've always been a law-and-order family. My daughter Gael Miles, who is now a regional councillor in the city of Brampton, took a crime prevention course and worked for the Vanier Institute for a while, and then Brampton advertised for a person to take over the management of crime prevention in the city. Of over 80 applicants, she got the job. She wrote what I think is called the STEP program for seniors, which was recognized across North America. She got the Solicitor General's award. She got the crime prevention award internationally and became a speaker over North America. Gael has often said to me, "Dad, if you ever do anything else in your life, get on the police services board." So when I was asked would I be willing to serve, it brought it right close to my life.

**Mr Ford:** It seems you've had an extensive background in various companies, organizations and different things of that nature. Those are all my questions, sir.

**The Chair:** Thank you, Mr Ford. That actually uses up the time for the government side.

**Mr Rick Bartolucci (Sudbury):** Welcome, Mr Wetherall. Any relations in Sudbury, Ontario?

**Mr Wetherall:** To who?

**Mr Bartolucci:** In Sudbury, Ontario, do you have any?

**Mr Wetherall:** There are not too many spelled the way my name's spelled. My name is spelled W-E-T, and they're W-E-A, most of them. But coming from Ireland — and a lot of Wetheralls were here before.

**Mr Bartolucci:** I married somebody from Ireland. That's why the name is so familiar.

**Mr Bert Johnson (Perth):** We'll forgive you.

**Mr Bartolucci:** Absolutely.

Now that we've finished asking questions about Rotarians and living by the four-way test and 911 numbers and relatives, let's talk about police issues. Who's the minister responsible for the police services board?

**Mr Wetherall:** It's the Solicitor General.

**Mr Bartolucci:** That's right, good. What do you think his role is in the operating of a police services board?

**Mr Wetherall:** I think everything starts at Queen's Park. In all of my municipal life, I realized that we were the child of the province. He has to be the overseer and the person who makes the changes through legislation. Police services boards have no control over legislation; it has to come from the Solicitor General's office.

**Mr Bartolucci:** All right, then, if that's what the Solicitor General's role is, what do you consider the responsibilities of a police services board member?

**Mr Wetherall:** The municipality has responsibility for policing the municipality through the administrative unit, which is the police services board. As a member, I am responsible, one of five, for the policing and the law enforcement within the municipality. I think I would take that very seriously.

**Mr Bartolucci:** What other roles do you see yourself having as a board member?

**Mr Wetherall:** I certainly wouldn't go in with any agenda. It has to be a learning process for me and, as I say, most of these areas, I have faith, it's surprising how often common sense comes into the situation. I've read some cases in my background papers that surprised me that people would take the approach they did in certain situations.

**Mr Bartolucci:** As long as that common sense doesn't have a revolution attached to it, I'm sure it could probably work.

Let's talk about that. As a board member, if you have a particular view and that view is shared by your board and the Solicitor General has an opposing view, how do you see there would be a rationalizing of opinions in this instance?

**Mr Wetherall:** I think it would be very difficult. Usually something of this nature starts with a confrontation, and confrontation is probably a lack of knowledge as to what your position should be in the situation. I think it's laid down in the Police Services Act and I would have to follow those rules. You're bringing up a case which actually happened. I could never have approached it in the way it was approached.

**Mr Bartolucci:** You know that your police force is in negotiations right now.



**Mr Wetherall:** Yes. I understand it has been close to completion. I'm not too sure. I think they went to arbitration.

**Mr Bartolucci:** Yes, conciliation, I think.

**Mr Wetherall:** I only know what I read in the paper in that regard.

**Mr Bartolucci:** Did you talk to any of the police force about the negotiations, about their contract, why they refused the contract?

**Mr Wetherall:** Not at all. The only thing I've talked to the police about, the bicycle patrol and so on, is about certain things I see downtown and so on.

**Mr Bartolucci:** Did you talk to Rick Austin or John Floyd about the contract, the two councillors who sit on the board?

**Mr Wetherall:** No, I haven't talked to them.

**Mr Bartolucci:** Did you talk to them about their opinion with regard to the way the board is made up, or have you talked to any town councillors about the format of the board, the composition?

**Mr Wetherall:** No.

**Mr Bartolucci:** Do you agree with the composition of the board, three and two — three provincial appointees?

**Mr Wetherall:** I have no problem with it. I think the board is made up properly and five people is quite adequate.

**Mr Bartolucci:** Do you think the breakdown should be more appointees than those reflective of those elected by the community to serve on the police services board?

**Mr Wetherall:** I think the balance is proper at the present time. Of course, people say whoever pays the piper calls the tune, but —

**Mr Bartolucci:** The taxpayers pay the piper.

**Mr Wetherall:** Yes, the taxpayers pay the piper. I guess it's fairly heavy, on a municipal basis. It's not cheap; policing isn't cheap any more. But I see the makeup as proper. I wouldn't like to see that changed.

**Mr Bartolucci:** What initiatives are your police force taking presently that would make them unique to other police forces? Any?

**Mr Wetherall:** I think, number one, the makeup of the support staff: There are handicapped and aboriginal on there. That is going in the right direction. I think the bicycle patrols, the local policing, is another good direction. I would quite frankly like to see more of a police presence in the downtown area, where seniors congregate and so on.

1010

**Mr Bartolucci:** So you're a strong believer in community-based policing.

**Mr Wetherall:** I was brought up with it.

**Mr Bartolucci:** You and I agree on that. There's absolutely no question about that.

Have you talked to any of the police officers with regard to the way they see the process involving a complaint towards a police officer? Have you talked to any of them at all about what their views are?

**Mr Wetherall:** No, I haven't. The short time I've had has been reading background material and so on. I haven't, really, and I don't even know if it would be right to do so until I take a position on the services board.

**Mr Bartolucci:** Good luck.

**Mr Silipo:** Mr Wetherall, a couple of questions with respect to the role of the police services board, just picking up on some of the questions Mr Bartolucci asked. What's your sense of the kind of impact that provincial cuts are having on police services generally, and obviously more particularly in Port Hope? Have you seen any? Do you know what is happening there?

**Mr Wetherall:** I haven't heard of a problem in Port Hope, but I think, number one, the job of the police services board is policing and law and order within the municipality. Certainly in these days you have to take a close look at the budget and so on. It's amazing sometimes. When you take the positives of a situation as far as even a police force is concerned, and take the negatives, and you inventory those and you work on the negatives, I think you can find ways to improve not only the force but the cost of policing, because if you improve something, the costs usually go down.

But there's one thing I think we have to work on very closely, and that is public policing, because there's no cost to public policing. It's a matter of police, instead of looking for trouble, responding to trouble when it's brought to their notice, and I'm sure there are many instances where they're not available to see it happening. But I think through Neighbourhood Watch and other programs we can work within the budget that we've been given. As I say, I don't think Port Hope has a financial problem anyway, either the police force or the municipality. It's in surprisingly good shape.

**Mr Silipo:** I hope that continues, for the sake of Port Hope, in terms of that financial stability. But what do you see as being areas that would be appropriate and areas that might not be appropriate in terms of something the Solicitor General seems to be pushing, which is the whole issue of other funding sources for police services, whether it's charging for a variety of services or a variety of fund-raising — you gave us an interesting anecdote about some fund-raising activities with respect to the fire services. What kinds of areas would you draw the line on in terms of ensuring the public continues to have a police service that clearly it's entitled to have and that is obviously paid for collectively through our taxes, as opposed to other avenues? What kind of areas, given the kind of really interesting experience that you bring to the table?

**Mr Wetherall:** I couldn't agree with financing police services especially by any other means than the broad board. It's the proper way and it's the cheapest way. Whether it's through provincial taxes or local taxes, municipal taxes, I think it has to be that way. It's a strange thing when you get other people involved and contributions from industry and so on. There may not be any call for special treatment, but all I'm saying is this. I think it should be done in many other areas, as the broad board of taxation across the municipality and across the province for policing, and the municipality, is the proper way to go. I can't see it being done any other way. I think these are ideas that come up in a time of crisis and budgeting and so on, but I wouldn't agree with it.



**Mr Silipo:** If the budget situation develops to the point where, in your view as a member of the board, provincial cuts begin to threaten the level and quality of policing that would be provided in Port Hope, what would you see your role as a member of the board in dealing with that circumstance?

**Mr Wetherall:** I think my job as a member of the board is, number one, to provide policing and law-and-order protection within the municipality and come up with the most efficient way to do that as far as policing. I don't think I would fire a policeman, but I'd say if we have one too many, a time of attrition would have to take care of it. But it's a strange thing; people try to do things overnight. I found in my budgeting for the municipality of Ajax that people came to me with things which were literally impossible, and I'd say, "Go back and look at this over five years," and all those things got done. Believe me, they got done, whether it was lighting for the ballpark or fencing or whatever else.

I think it's the same with budgeting for the police force. It can't be achieved overnight, but if you want to talk about more efficiency, it should be done over a period of four to five years. I would look to policing first. Budgeting would come second, but it would be done efficiently.

**Mr Silipo:** What are your thoughts on the question of accountability over police budgets? I'm sure you know that a number of municipalities make the argument that because the bulk of the funding for police services is raised through property taxes, the budgets of police boards should be subject to the approval of the local municipal council as opposed to the review process that exists now. I ask this particularly given your experience as a former municipal councillor, but I'd be interested in your thoughts on this.

**Mr Wetherall:** I got into one that went to the Supreme Court; my ruling won in the Supreme Court with the school boards, but I won the war and lost the battle because the province changed the law and gave the school board control over capital expenditures they didn't have at the time. It's something that's rather hard in this instance to comment on because I don't know what the breakdown is between provincial funding and local funding, but it's all coming from the taxpayer, whether it's municipal taxes or provincial taxes. The sword has to be with the province, as I see it, and this is with the knowledge I have the present time.

**Mr Silipo:** One last question. You said in your opening comments that you're apolitical. Does that mean that you're not a member of any political party?

**Mr Wetherall:** No, it doesn't. I don't think I'm ashamed of my political affiliation. I'm sure none of you are. Maybe non-partisan would be a better word.

**Mr Silipo:** Okay, fair enough. Are you member of any political party?

**Mr Wetherall:** Yes, I am.

**Mr Silipo:** Which party?

**Mr Wetherall:** The Conservative Party.

**The Chair:** Any further questions of Mr Wetherall? If not, thank you, Mr Wetherall, for coming before the committee. We appreciate your presence.

1020

## SHIRLEY CORDINER

Review of intended appointment, selected by official opposition party: Shirley Cordiner, intended appointee as board member, Region of Niagara Police Services Board.

**The Chair:** The next intended appointment is Shirley Cordiner for the Region of Niagara Police Services Board. Ms Cordiner, we welcome you to the committee and offer you the opportunity to make any opening remarks you might want to make.

**Mrs Shirley Cordiner:** Thank you very much. I thought I would give you some background this morning about myself.

I was born and raised in St Catharines and moved to Ridgeway 14 years ago with my husband and our three sons. As our boys were growing up I became involved in volunteering in the schools they attended and in the scouting and soccer programs in the town of Fort Erie. I found I enjoyed working with other people to help coordinate and promote good programming in these organizations to increase enjoyment for the youth involved.

As we all know, once people realize you are a person who gets the job done you are asked to join many volunteer committees.

In the fall of 1992, when the community policing initiative was starting in Ridgeway-Crystal Beach, I was asked to sit on this committee. The committee comprises citizens from the Ridgeway-Crystal Beach area and officers from the Niagara Regional Police Services. We are a problem-solving committee and also a committee that organizes and promotes crime prevention programs as they are needed.

Our community policing program has thrived over the past few years. We have a liaison officer designated for our high school and our elementary schools. His presence no longer is viewed by the community as, there must be a problem in the school or why would he be there? They now understand it is a part of community policing.

In being involved with so many aspects of the community, I find it very satisfying to be able to sit down with police officers and work out solutions to some of our problems in Ridgeway-Crystal Beach.

In my position as chairman of the committee, I was asked by Chief Waddell to sit on his citizens' advisory committee. This group consists of all the community policing chairmen in the Niagara region.

In the fall 1994 I was elected as a trustee to the Niagara South Board of Education. Again with my work in the community, I feel I'm a strong representative from Fort Erie on this school board. I'm in contact with the parents as I sit on two parent councils and feel I can ably express their concerns about education on this board.

As a trustee I sit on elementary negotiations and the promotional committee for vice-principals. My experience over the past two years enhances my qualifications to sit on the police services board.

In closing I would like you to know I'm a very high-energy person who enjoys working with other people to succeed in attaining positive results.



**Mr Ed Doyle (Wentworth East):** Thank you for appearing today. How are things in Niagara this morning?

**Mrs Cordiner:** I came to Toronto last night, so I don't know. The traffic is not like here.

**Mr Doyle:** It took me two hours to get in from half the distance, so I can understand. I think you made the right move. I wish I had come in last night.

There's lot of community experience on both your résumé that we see here and in what you've told us this morning. You particularly mentioned community policing. That seems to fit quite well with this potential appointment.

Could you tell us what the challenges are for the police force in your community and if there are any specific regional concerns regarding this?

**Mrs Cordiner:** For our local community of Ridgeway-Crystal Beach break-and-enter is a major problem, and as fall approaches and our American residents leave the area it increases. I know that a special patrol is being put on this fall to try and deal with the situation and get a handle on it as fall progresses.

As far as regional concerns, I think for all of us in the peninsula the coming of the casino to Niagara Falls is a concern, and I'm sure for the town of Fort Erie the increase and influx of tourists and people attending the casino coming across the Peace Bridge. I have to think that Fort Erie will be dealing with maybe a few different problems than we have had previously.

**Mr Doyle:** If you are appointed as a board member, I wonder if some of the projects and initiatives that you have in mind could be explained. Do you have a few?

**Mrs Cordiner:** The main project in the initiatives and the police services board for Niagara Peninsula would be the increase of community policing in our communities. I know, coming up this fall, Fort Erie has now been broken into five different areas, Ridgeway-Crystal Beach being one area for community policing, and four other areas. Designated officers will be working in those areas so that citizens will get to know them.

I think it is very important. I've seen community policing in Ridgeway-Crystal Beach have a very positive effect on our youth, and for myself on the police services board, that is an important concern that I certainly will support.

**Mr Doyle:** As somebody who's been involved in the way you have, you see expansion as a good idea in that regard?

**Mrs Cordiner:** Yes.

**Mr Ford:** Good morning, Mrs Cordiner. I see you have three sons. I have three sons of my own, so I know why you're involved in the Scouting movement and the soccer situation and the athletics and on the police services board, which all sort of tie in one way or the other.

I have a couple of basic questions that I'd like you to ask you. Your résumé shows that you are the chair of the Ridgeway-Crystal Beach community policing committee. You are also involved in Chief Waddell's committee for the selection of superintendents. How do you come to be involved in your community policing?

**Mrs Cordiner:** I became involved in community policing when they were looking for members from the

community who can relate well with the citizens of the committee and who are known in the community. Maybe with my involvement in the schools where our youth are, my background in all areas in volunteer work, my relationship with the community is known. I am known in the community, so I can carry any problems they would like known to the police that they may not approach the police with themselves. They are very hesitant. We would work on areas in Ridgeway-Crystal Beach.

In Ridgeway we have one high school. We know that this week, with high schools now going back, our lunch hours in our business area are inundated by high school students. In working with Niagara Regional Police Services we will have one of our police officers likely walking the beat through that time period, from 12 to 1, just to reinforce that he or she is out there.

To sit on the promotion of superintendents, Chief Waddell was the first citizen to ever do this in the history of Niagara Regional Police. I believe he felt that my input would be important as a citizen. His objectives for Niagara Regional Police are to include citizens wherever possible. In sitting as a trustee on the Niagara south board on a promotional committee I found my background only helped. I think in sitting on that promotional committee I was able to give some insight into what the citizens are looking for in our executive officers.

**Mr Ford:** How many police do you have down there in that area, on that police board?

**Mrs Cordiner:** In Niagara Regional Police I think we have around 700, 800 police, but with civilians I would think maybe over 1,000 employees.

**Mr Ford:** That's fine. Thank you.

**Mr Bartolucci:** Again welcome. Good luck in your role. You're obviously a community person who wants the best for the community. No doubt your appointment will be upheld today in this committee.

Let me ask you a couple of question with regard to policing in general. The Ontario Civilian Commission on Police Services, what effect does that has on policing itself?

**Mrs Cordiner:** My only knowledge of OCCPS is that in the cuts of the funding with Niagara Regional Police the association felt there was a reduction in numbers of our police officers because of this. I believe their appeal, and with Niagara region, was to OCCPS to come down to investigate. Really that is the my only knowledge of OCCPS.

**Mr Bartolucci:** Are you familiar with the special investigations unit component?

1030

**Mrs Cordiner:** Not really, no. I've heard the name.

**Mr Bartolucci:** They are a special investigations unit obviously, by its name. Do you think that a police officer should head up that committee?

**Mrs Cordiner:** A special investigations? For the management of that? Yes, I believe so.

**Mr Bartolucci:** The Solicitor General disagrees with you. If it was a recommendation from your board that you see nothing wrong — and nor do I — with a police officer or a former police officer heading up SIU, how would you try to convince the Solicitor General that it's



a good idea to have a police officer policing a special investigations unit?

**Mrs Cordiner:** I think to manage that type of unit you would have to have knowledge of the laws of the police service and knowledge of whatever is being investigated, the procedures to follow. I don't really believe a citizen would have the knowledge to do that.

**Mr Bartolucci:** It's under review right now. There have been temporary placements and I think they're struggling with it. There was a very good system in place before, but for some reason there are some changes. We don't know why either.

Let's go back to community-based policing, because that is a very, very important initiative.

**Mrs Cordiner:** Yes, it is.

**Mr Bartolucci:** How do you see that expanding in the schools? You have a police officer presently going into the schools, you said.

**Mrs Cordiner:** Yes.

**Mr Bartolucci:** How do you expand community-based policing from that police officer coming into the schools and being in communities, but expanding the program?

**Mrs Cordiner:** I'll speak from personal experience, which is best for myself. We have been very fortunate in Ridgeway-Crystal Beach that our community policing officers use a lot of their off-duty time. In Ridgeway-Crystal Beach we have youth programs now going on in our schools two nights of the week to help get them off the streets. I know being a trustee, my principals in my schools, if there is a problem that they think is developing, have no hesitation to call our community officer in to sit down and discuss it and try to check it before it goes further.

Because of the time limits of our community policing officers, who of course are also on there for calls for service, I would like to see the increase of time spent in our schools. I truly believe that's where we have to start, with our youth being able to talk to our police officers.

I would like to see our officers spend the time to drop into the schools and let our youth get to know them a little bit. Also, I know for our officer in the high school, he is able to explain some law enforcement, and any youth who look as if they would like to go into law and security, he has the background to let them know. Our police in our schools are very important and not just to be called in when there is a problem.

**Mr Bartolucci:** We might want to wait until the two gentlemen are finished. They spoke all the way through your answer. It was an excellent answer and they could have learned something from it. However, we'll go on now because I think we have their attention. Hopefully, we'll keep it. They have a short attention span, the government side of the House.

However, as you see policing unfold in your own area and in the province, what problems do you see looming on the horizon, not for any particular reason, but for a variety of reasons?

**Mrs Cordiner:** It's come up previously. I think the budget is a major problem for all of our police forces. We are going to have to look at if there's any overlapping of services. I think that would have to be one of our main concerns.

**Mr Bartolucci:** Are you fearful that maybe because of budget constraints, because there aren't the dollars there once were, very vital police services may have to be altered?

**Mrs Cordiner:** I don't know if I have enough background to answer that question.

**Mr Bartolucci:** Just a personal opinion.

**Mrs Cordiner:** I would hope not. I would think, being part of the police services board, you certainly would investigate all avenues.

**Mr Bartolucci:** Just in conclusion, I'm a former principal and a teacher on leave. The way you speak about your involvement with principals, superintendents, teachers, I think will hold you in an excellent position to be a very positive contributor to the police services board. I wish you well. I'll certainly be supporting it, because I believe you have to have that interaction.

The Solicitor General, again, doesn't agree with us, because he doesn't want you, as a board member, to become involved with the police officers directly. How are you going to get around that? If you want to meet with a couple of police officers because you have something you think they have concerns about, how are you going to get around the stipulation that a board member shouldn't meet with police officers directly?

**Mrs Cordiner:** In applying for this position, I had to really think through my priorities. If it came to a conflict, I would have to resign from our community policing committee. Resigning from a committee does not mean that you still cannot be involved. I have a bit of a problem with it. I think what is needed is they need to be listening to the citizens. That's where a lot of our answers are, if people will listen.

**Mr Bartolucci:** Well, you sure are going to be a good member of a police services board. There's no question. Always remember the importance of listening to what the people say, and working through the deputy or the chief. That way you can talk to anybody, as long as you inform the deputy or the chief that you want to meet with these guys. That's the loophole the Solicitor General provides in legislation. So good luck.

**Mr Silipo:** I'll just start from that last point, Mrs Cordiner, and say that I hope you'll continue, if you are appointed to the police services board, as I expect you will be, with that same type of involvement that you seem to demonstrate with respect to your work so far, both in terms of police matters and on the school board, around talking and continuing to be involved with the people who actually deliver the services, in this case our police officers. I think it's essential, and I think the Solicitor General is wrong in the approach he's taking.

I want to talk a little bit more broadly with you around something that's been touched on, which is the budget. As I'm sure you know, this year the police services board in the Niagara region has had to reduce its budget by almost \$2 million, I gather, as a result of cuts from the province to the regional municipality. Can you tell us what kind of effect that's had on police services in the region and how the region is coping with that?

**Mrs Cordiner:** From my involvement, from the little bit I am involved, I truly cannot say that the cuts have affected Niagara Regional Police Services. I would have



to say, though, they are looking at other alternatives because of the cuts. It has come up about the use of volunteers, which I know opens a whole new avenue, the use of volunteers for the taking of verbal reports and giving out information. If that can be done and can be looked at, I'm certainly sure it would release police officers to be out on the street, where they are.

1040

I know in reading the newspaper that they are also now looking at charging a fee for alarms that are going off. Right now, I think an officer may lose half an hour in responding to a security alarm.

So I can't personally see where the cuts have affected the police in my area of the Niagara region at this point.

**Mr Silipo:** I'm actually a little surprised by that answer, given a couple of things. Our understanding is that Police Chief Grant Waddell has indicated very recently that police services would likely overspend their 1996 budget because of the need for overtime costs caused largely by the number of homicide investigations this year and the crackdown on motorcycle gang activity.

Earlier in the year, before the cuts fully took effect, there were concerns expressed from the Niagara Regional Police Association which were relayed to the Solicitor General by none other than the local MPP, Tom Froese, the MPP for St Catharines-Brock, in a letter which indicated:

"As a result of the reduction in the transfer of funds by the province to the Niagara regional government, the region has asked the Niagara Regional Police department to cut \$2 million from their 1996 budget.

"The Common Sense Revolution states the following, 'Funding for law enforcement and justice will be guaranteed...any savings we find in our justice system through greater efficiencies will be reinvested to ensure public safety in our streets and in our homes.'"

You don't think that the government and the Solicitor General are indeed breaching a basic commitment they made to the people of the province that they would not cut police services budgets and generally budgets for law enforcement and justice? You don't see any effect that's having?

**Mrs Cordiner:** Not for me personally in the area of Ridgeway-Crystal Beach. Very truthfully, no, I don't. I'm not saying that there aren't changes in the rest of the peninsula, but my concerns up until this point are for my own community. For the cuts that were made, no, I don't see any changes.

**Mr Silipo:** If you become a member of this board, you presumably will have to look after the interests not just of your own local community but indeed of the whole region. I have to assume, on the basis of what information we have here, that in fact the budget that's being provided now isn't adequate in the view at least of the police chief, who is after all the chief staff person responsible for those services. You've put a lot into continuing to talk and listen to the people who deliver those services. If that's what the police chief is telling you, that it's having an effect, that he can't run the services with the funding he's receiving, what's your response as a prospective member of the police services board?

**Mrs Cordiner:** I think until I sit on the board — citizens will complain when maybe a dog's barking and an officer doesn't respond immediately because of calls for service being prioritized. If that's a complaint from a citizen, then I think we have to look at the structure of how policing is serviced in the Niagara Peninsula. Sitting on the police services board, I'm sure I would have much more background to understand the cuts in funding, where they really are, but other than that, I don't think I can respond to that.

**Mr Silipo:** Finally, are you a member, Mrs Cordiner, of any political party?

**Mrs Cordiner:** No.

**The Chair:** If there are no other questions, thank you, Mrs Cordiner, for coming before the committee.

The next intended appointment is Dennis Tompkins. Mr Tompkins is not here yet. We don't know whether it's because he's late or he'll be coming, but Mr Stewart is here. So should we go ahead with Mr Stewart's interview? He's the next one on the list. Okay? Let's do that.

He's not here either.

**Mr Bob Wood:** On a point of order, Mr Chair: Why don't we deal with concurrences while we're awaiting the arrival of the next intended appointee? I don't think the next intended appointee is due till 11.

**The Chair:** That's true.

**Mr Bob Wood:** If it's in order, I'd be prepared to do so.

**The Chair:** It seems everybody's agreed to that.

**Mr Bob Wood:** Perhaps I can move concurrence in the intended appointment of Mr Cameron.

**The Chair:** We've heard Mr Wood's motion. Any comments on it? None? Are you ready for the question? All those in favour of concurrence for Mr Cameron? It's agreed unanimously.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Wetherall.

**The Chair:** We've heard the motion. Any comments on Mr Wetherall's appointment? If not, all those in favour? It's unanimous.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mrs Cordiner.

**The Chair:** Any comments on Mrs Cordiner's appointment?

**Mr Silipo:** I just would say she strikes me as somebody who is on the one hand fairly knowledgeable of the community and some of the issues. I was a bit troubled by some of her positions with respect to the impact the budget cuts are having. I'm not going to oppose this appointment, but I would have trouble in expressing my support, so I would just abstain.

**The Chair:** Abstain?

**Mr Silipo:** Yes. It's not possible?

**The Chair:** Not if you're in the room.

Any further comments on Mrs Cordiner's appointment? No other comments? Are you ready for the question? All those in favour of Mrs Cordiner's appointment? All those opposed? It's carried. Thank you for that.

Why don't we take a break for five or 10 minutes. Let's try to be back here at 11. That way we can get right on with it. Thank you. We're adjourned till 11 o'clock.

*The committee recessed from 1048 to 1102.*



## DENNIS TOMPKINS

Review of intended appointment, selected by third party: Dennis Tompkins, intended appointee as member, Town of Deseronto Police Services Board.

**The Chair:** The standing committee will come to order. Welcome, Mr Tompkins. Please be seated. The normal procedure is to give you the opportunity to make any opening remarks you might have and then proceed to questioning by the three parties of the Legislature. Welcome to the committee. Did you wish to make any opening remarks?

**Mr Dennis Tompkins:** I thought long and hard about putting in an application for this position because of my previous involvement in municipal politics, and I wondered if I really needed to rest as opposed to — but I'll maybe just give you a little background on myself. I've served on town council since 1979, two terms on council and then the next three as mayor of our community, till the last election. Then I was removed; let's put it politely.

**The Chair:** It happens to the best of us.

**Mr Tompkins:** Yes, it does. It's one of those jobs that, if you do a good job, you eventually work yourself out of. Previous to that and during my stint on council, I've chaired every committee of council, including what used to be the old police committee or police commission at that point. I happened to be mayor when the Police Services Act was first initiated about five years ago, four and a half years ago. At that time, because I was mayor, it was council's wish that the head of council should represent council on the police services board. So I am somewhat familiar with the act; not any new legislation that's come in the last two years or so.

I'm self-employed. I've been employed since 1977. I'm in manufacturing. I'm heavily involved in recreation, in minor hockey, minor ball, things like that, within the community. Since most of my personal investments are tied up in the community and with what's happening with policing — maintain your own force, go OPP and other things — actually, as a businessperson, it has a direct effect on me and my family. So I'm hoping that my past experience can contribute something to this committee. That's about everything.

**Mr Ford:** Welcome, Mr Tompkins. I've got a couple of questions here. These are standard questions. I've read your background; it's quite impressive. Are you familiar with the principal responsibilities of the Town of Deseronto Police Services Board? Being the ex-mayor, I think you should be.

**Mr Tompkins:** I hope I am. In what respect?

**Mr Ford:** Just the general functioning of the police services board, the responsibilities.

**Mr Tompkins:** The police services board, maybe to oversimplify it, is to set the policies and initiate them through the chief of police, not directing the chief of police, but to develop the policies for the good of the town to provide proper law enforcement education, training for police personnel, a fair board to deal with complaints of the public concerning policing, and to give direction to the community in general as to which direction policing is going in.

**Mr Ford:** Good quality liaison, in other words.

**Mr Tompkins:** Yes.

**Mr Ford:** I've got one more. As a former mayor of Deseronto, what experiences will you bring to this board that will benefit your community?

**Mr Tompkins:** Probably from a budgetary standpoint and just from a time period of experience with what's happening now to policing in general in small communities, to hopefully put that experience to work when the time comes to decide what we're going to do with our police department from a cost-effectiveness standpoint and also any government dictates on how to handle it. Unfortunately, what happens sometimes is you get good people but maybe very new people who have to make decisions based on just information they have at the time without any previous history. Hopefully I have a feeling of the pulse of the community, what the community wants, what the business community wants and hopefully what's best for our community.

**Mr Ford:** You should have a little experience in that, running your own business there, being part of the community. Like you said, you have your investment in that community, so you have a big concern for that community.

**Mr Tompkins:** Yes, I do.

**Mr Ted Chudleigh (Halton North):** Mr Tompkins, welcome to the committee. It's certainly impressive, your résumé. You've been involved not only continuously in various areas, but through a wide cross-section, being involved not only in the municipal government, but also with your church, with food banks, sports and minor sports, and the public utilities commission.

You would probably have a wide experience of people whom you know throughout the community and the surrounding districts. Do you see this as an attribute to bring to the police services board?

**Mr Tompkins:** Definitely. Being in a small community, you know everybody in the community. And we have a good working relationship with the OPP detachment in Napanee plus the special officers, the OPP, the reserve detachment with the Tyendinaga territory right beside us. We've had an ongoing relationship with the band council and the reserve police themselves. It's worked well over the years, and that's always something in a small community. Where policing is a concern, sometimes you don't have the money to have the numbers you would like to have, so I think it needs a good interaction of personalities between band council and, say, the band reserve who are probably our closest neighbours. I'm sure you're all aware of dealing with native territories. They're very self-sufficient in the sense that their council dictates basically everything. That's one of the problems our community is having now, so it was one of the decisions that made up my mind, that I thought maybe I had something to offer.

**Mr Chudleigh:** I'm very pleased that you've put your name forward.

**Mr Bartolucci:** Deseronto is a small place and you've already said that everyone knows everyone else. What's the feeling with regard to policing in your town right now?

**Mr Tompkins:** In regard to keeping our own force or going OPP?



**Mr Bartolucci:** Right.

**Mr Tompkins:** I really think it was almost split down the centre. People like the visibility of having their own people. They like the reputation of the OPP but a lot of people looked at it as reactive policing because they were going to be dispatched out of Napanee, but they could be anywhere maybe in a 30-mile radius. So the concern of that group of people was that with reactive policing it may be prioritized policing, where if they have six calls and two cars on duty, obviously they're going to go to the most important ones first.

There's a feeling in the community that the visibility of our own officers is important, it's a deterrent to crime itself, just the fact that they are on the street or in their car. That's one side of the coin. I like to think you can look at both sides. The other side is the funding that the OPP have versus the town of Deseronto. Your officers have the most up-to-date courses, the most up-to-date equipment and probably — I don't like to use the word "better" officers, because I don't necessarily believe that, but because of their training and the OPP force behind them, they are in a position where they're always on top of what's going on. Sometimes that's the negative side to having your own force in a small community. If you wanted me to be specific one side or the other, I could, but I like to look at it from both sides.

1110

**Mr Bartolucci:** I really appreciate that, and you've given us a fair overview of what the community feels. As an intended appointee, how do you feel, personally?

**Mr Tompkins:** I am really torn. I guess my feeling is, if I had the choice — I'm touching off-subject here. If per capita policing were in place in the province of Ontario, I would say we would maintain our own force and we would educate and update to provincial standards. With the fact that approximately 33% of our town budget goes into a five-man police department, that part is discouraging. But, again, you have to weigh those costs as to break-and-enters and the visibility of the police against other things, but I like the idea of the OPP in terms of what they have to offer. The only thing I don't like about it is that even if they have a community office set up in our community, I doubt very much if there'd be an officer in there an hour a day. It would be, again, more of a reactive thing. So I think the answer is somewhere in between.

We did an OPP costing study back about eight years ago, seven years ago, and one of the things that we were looking at as a result of that was a possibility of maybe keeping our chief — who's maybe eight years, 10 years from retirement — he could be on our payroll, be a liaison person in the community so they have somebody on there, sort of like a Buford Pusser of Deseronto, if you've seen the old movie, where the OPP would provide the reactive type of policing.

There are some balances that may be able to be done, but until you're in a position where you can offer comments that have any authority or power, I don't know. That's sort of my feeling on it, anyway.

**Mr Bartolucci:** Obviously, now Deseronto has what is classically defined as a community-based police force. Are you fearful that you would lose that?

**Mr Tompkins:** Only if we weren't replacing it with something as good as or better, that was going to be more cost-efficient to the taxpayer. If you knew our community, with the industries that have shut down in the area in the past while, our tax level is significantly higher than, say, Napanee, Picton, other similar-size communities in the area. Basically, especially townships that aren't paying for policing now, if you took the approximately \$400,000 off our \$1.2 million budget in the town — that's approximate figures — we would be reasonably well-off as a community. But so many other things have to go and, unfortunately, when you have those types of costs and the taxpayers have to bear them in the community, obviously other services have to slip in terms of roads, recreation, arenas.

We're a community around 1,800 or 1,900 but we're probably functioning with a dollar figure of maybe a community of 1,000 people. So it's a constant case of juggling the books. But I think one thing the police services board has to be in our community is receptive to input from council, which isn't always the case. I'm not saying council should dictate what they're doing, because they'd like to; there's no question. But I think they really have to be receptive of how it's going to affect the home owner.

How I like to do things: In our community a couple of years ago, to talk in terms that the average person, home owner, understands, an \$11,000 increase in taxes represents a 1% increase on your tax bill. Then if you go to the people and say, "We're increasing our budget by \$55,000 this year," they'll say, "That's a 5% increase to us." So I like things to work out that way, so that everybody can understand what you're doing instead of throwing mill rates at people. I don't pretend to understand them at times.

**Mr Bartolucci:** Very, very true. We had an intended appointee before from Deseronto. Do you know Mr Kemp? You're familiar with Mr Kemp?

**Mr Tompkins:** Yes, I do. I grew up with him.

**Mr Bartolucci:** What was the reaction of the community at the withdrawal of his name?

**Mr Tompkins:** Shock and anger, I guess.

**Mr Bartolucci:** Could you outline why?

**Mr Tompkins:** I think you'd have to know Ray. He owns Kemps Furniture in Deseronto. They're probably one of the more religious families in the community. When that happened, I know his mother was in tears and his wife was in tears over the accusations that were made. I don't pretend to know all of them, but always you get one side of the story and maybe not the other. But I think generally the community, even people whom I wouldn't call friends of Ray's, were quite upset with the way it was handled, yes.

**Mr Bartolucci:** Did he withdraw his name?

**Mr Tompkins:** I don't know. I really didn't want to get into that because even when you're talking to him, you're in a point of taking sides at that point, of agreeing with him or not agreeing with him, and I didn't want to do that.

**Mr Bartolucci:** That brings us up to date on Mr Kemp. Maybe we can go on. Your police services budget was up 4% last year. Were you in favour of that increase?



**Mr Tompkins:** Not really. I'm sure a lot of you are aware of infrastructure funding that was done during the last government which was put through. Deseronto did well in that. As I saw it, there was room to maximize the funding, the \$1.2 million that was going to be made available to Deseronto in other areas and take money from other areas. My feeling is, whenever you have a tax increase, it never comes off. Even if there's an increase to the actual police budget, there has to be a decrease someplace else to balance that. As I said earlier, our tax rate for our community and what it has to offer is high.

So my feeling is, had we used the infrastructure money properly and maximized it and just taken it away from maybe some other services for a year or two, we could have absorbed those costs with no increase because, as you know, 4% there plus the county levy increase and the board of education increase, which was significant, all of a sudden you're looking at a 10% increase. So take 10% over about seven or eight years, that's a 100% increase on the actual tax bill.

**Mr Bartolucci:** I read from your impressive résumé that you helped Father Germaine set up a food bank. Has there been extensive use of that food bank?

**Mr Tompkins:** Very much so. It's decreased somewhat now. We had — how do I say this politely? — a landlord in town that housed a lot of needy people. The fire marshal's office and Ontario Hydro saw fit, due to inadequacies in the three buildings, to shut them down, which resulted in about 48 or 50 apartments, which the people sort of ended up migrating to Napanee, Picton, Belleville and area. We've noticed a decrease since that has happened, but unfortunately we've also noticed a decrease in our number of students in our school, which means our grants are down. So there's a ripple effect.

**Mr Bartolucci:** Do you think there's any correlation, Mr Tompkins, with the funding levels provided by the province, food bank usage, increase in police services? Do you see there's a correlation? Do you see a pattern developing in your particular community only? I don't ask you to speak for the province.

**Mr Tompkins:** I think communities have to be careful, that sometimes being of good heart and wanting to help, if you overdo it to the extent that you're maximizing it more than other communities, you'll end up drawing in a lot of their people who need help. If your community's under financial pressure to begin with, it's going to put more strain on the town.

The way we had it set up, we have a resource centre which was set up a number of years also in the community for seniors, for other people, for needy people, for people who have questions maybe for you people here, if they don't know where to turn. The food bank was put under the auspices of the resource centre, so it's basically a volunteer group. They worked in conjunction with community and social services, had a representative down and they tried to make everything fair so nobody was taking advantage of it. If they were on social services, they had to be recommended or a letter from them to the resource centre. So it was all kept very secretive and private so nobody's feelings were hurt or offended that way.

So that way, it's worked out well, because it hasn't just been a group. If we really believe in something,

sometimes we tend to go a little overboard. So it's sort of an impartial group that has the good of the community in mind that's running it.

**Mr Silipo:** Mr Tompkins, you're still a member of the Progressive Conservative Party?

**Mr Tompkins:** I haven't been for a number of years. As I'm sure you know, I ran for them during the David Peterson sweep of 1987, I think it was. I took Jim Taylor's place. I won the nomination that year. But to tell you the truth, it's not a matter of wanting to or not wanting to. We've been so busy with our business, and my kids are 13 or 14, 15, so we're trying to do as much as we can with them, my wife and I, now, while they want us to be around, as opposed to in a few years. So if you're asking if I've been active, no, I haven't. I probably would have been if it wasn't for my kids —

**Mr Silipo:** It's not because there's been a philosophical parting of the ways?

**Mr Tompkins:** No, no, nothing like that, just personal life and business.

**Mr Silipo:** I understand that. When you were the mayor of Deseronto, were you a member of the police services board, as the municipal —

**Mr Tompkins:** Since before I was mayor, I've been on every police committee since 1978-79, when I was on council, and I was the chairman before that, the last policing committee chairman. So council, just because of my experience and budgeting experience, at that time they asked me to sit on it. So yes, I was.

1120

**Mr Silipo:** Do you see any difference in the way in which you're going to fulfil your role if you're appointed as one of the provincial appointees, as opposed to when you were sitting there as a member of council?

**Mr Tompkins:** In the sense that I don't have to wear two hats, I guess. But I have a short memory so I make a poor liar, so I always attempted to see things in black and white as much as possible and not so much as try to do things for favours down the road. If something is right, it's right; if it's wrong, it's wrong. That's how I presented it to council and we had some rather heated arguments, and just the same the opposite way. Sometimes I didn't agree with the police services board and when I went back to council and brought their wishes, I defended them adamantly and was out-voted. But my feeling has always been, once an issue is over and there's a vote taken on it, the issue is over. Then you get on with the next one; you don't hold grudges or seek revenge or this sort of thing.

**Mr Silipo:** The question that you were discussing earlier with Mr Bartolucci around the future of the police services in Deseronto, the question of maintaining a distinct police services unit as opposed to purchasing services through the OPP, is that something, previously, whether it was when you were a member of the police services board or any other time in your public life, that you've taken a clear position one way or the other on?

**Mr Tompkins:** Back in — I can't remember the year; I guess it would be the late 1980s — we had a previous OPP costing done, police costing done. At that time, our council — we had a seven-man council, counting myself — was split three for, three against and I was the



deciding vote. At that time, I voted to retain our own police force. Mainly it was for the reasons I gave earlier. I just didn't feel at that time it was in the best interests of Deseronto.

The reason I was so clear on that, before the town of Napanee had disbanded their force, we had conversations with them of setting up sort of a mini-regional force to eliminate the administration costs and the duplication of services, plus to give enough men so that they could schedule. Napanee had nine officers and we had four at the time, and 13 would have allowed holidays off, stat holidays and that sort of thing. So I was still in that mode at the time, so I was still a believer in our own force.

**Mr Silipo:** This model or concept that you mentioned earlier, about another possibility other than the two choices, that is, a third possibility of having perhaps a smaller local unit with then some services being provided by the OPP — the more reactive services, to use your words — is that something you would be eager to pursue as a member of the board, something that might in fact provide the right balance between a lower cost to the ratepayers and maintaining good service that you seem to be saying you now are getting from having your own police force?

**Mr Tompkins:** I think so. My feeling is, I guess, the only things that come to mind are the three options: the one that you just talked about, going OPP completely, or maintaining our own force. There's probably other options in there that we can do. I think what I'd like to do, if I were on the committee, is to sit down and itemize the pros and cons of those options and maybe somebody else on the committee would have some other options too. I think in the long run, what's important is cost and service. Obviously, normally more service means more costs, so it's a matter of juggling that, but I really feel that the gut feeling of the town is that they would like to have an individual that they could say, "He's our officer." My recommendation at the time was to maintain the chief because before he was chief, he was probably one of the best constables we had. He seemed to have good discretionary powers in that respect.

**Mr Silipo:** As has been mentioned, the police services budget is up this year from last year about 4%. Could you just tell us, from whatever information you have, how that was possible? I'm assuming that there were some cuts from the Solicitor General to the municipality, or perhaps not. Perhaps this is one of the few that escaped those cuts.

**Mr Tompkins:** Off the top of my head, the only thing that comes to mind is the new 50-millimetre guns as opposed to the old .38s that they had, things that we looked at years ago but we were trying to cost them in over a number of years as opposed to other things, plus I'm not sure if there were any insurance implications and overtime implications because the one lady constable that we had had a motorcycle accident and lost her leg. So she was still on the payroll. The town of Deseronto did not have a long-term disability program or even a sick time. We absorbed it. For whatever reason, that was a policy of the town, that they would absorb it out of their own payroll. So I would assume that some of it would be overtime, people making up her shifts, because as far as

I know to date, she's officially still a member of the force.

**Mr Silipo:** You mentioned that the money spent on police services is about 30%, I think, of the overall local council expenditures.

**Mr Tompkins:** Approximately, yes.

**Mr Silipo:** Where do you stand on the issue of control over police budgets? Should they be simply under the control of the local municipality or should we maintain the present system?

**Mr Tompkins:** I guess I've seen both sides of it and it all comes down to the individuals you're dealing with on the municipality. I've had fellow councillors and that who have been very negative in terms of police budgets. It wouldn't matter what the justification is; there's no increase. "We want a decrease. Get rid of one of our officers, we don't need him." Unfortunately, it's a personal thing that comes into it as much as anything else. On the other side, I've also seen a very strong chair on the police services board who was very — not dictatorial but liked to have his own way in terms of things. I think there needs to be a system of control.

During this incident, the chair of the services board — not this chair, the previous one — had his back up, and maybe rightly so. He believed in what he was doing and the members of council, the four out of the seven councillors, believed they were right in what they were doing. There didn't seem to be the conciliatory department or area at that time that would step in and say, without costing the town maybe \$7,000 for consultant's fees to look into the problem. Nobody seemed to want to make the decision, and at that time the services board felt, "We have the right, it was mandated to us, this is a budget and this is what we're going to do."

I think there needs to be a system of checks and balances on there, a justification. I don't necessarily believe that maybe a bureaucrat outside the community or something is the person to bring in and look at the sides, because as you know, some people are better speakers than others and they present their case better. I don't know what the answer is to that, but maybe it's a committee of the public whose taxes are going to be directly affected in it and they're going to have to weigh the services versus the dollar increase. I don't know if I've answered your question. I didn't mean to —

**Mr Silipo:** I don't know that there's any right answer at this stage either. I just was interested in your views. Thank you.

**Mr Ford:** I'd just like to relate to Mr Tompkins that I can understand where you're coming from with a police department, local police vs the OPP, because Colborne, as you recall, had an incident that you might relate to. This is where the druggist took the law into his own hands and was charged. He had also been broken into three or four times, I believe. They had a situation there that you're relating to when you say you'd like to have a few local police there, because the OPP took a half-hour, sometimes more than an hour, to respond to the calls. I just thought I'd bring that to the committee's attention.

**The Chair:** Anything else? If not, thank you very much, Mr Tompkins, for your very open and frank expressions to the committee.



1130

## ARTHUR STEWART

Review of intended appointment, selected by third party: Arthur Stewart, intended appointee as member, Town of Penetanguishene Police Services Board.

**The Chair:** We have, for the morning, one final intended appointment. That's Mr Arthur Stewart as an intended appointee to the Penetanguishene Police Services Board. We welcome you to the committee and ask if you have any opening remarks you'd like to make.

**Mr Arthur Stewart:** Actually, Mr Chairman, I don't have any opening — I understand that all of you have my résumé. The only thing I could add to that probably is that in my 17 years on council, the last five I was chairman of the police committee. That's when we had a committee instead of an appointed board at the time. I might add that in 1983 I was warden of Simcoe county.

**The Chair:** Thank you, Mr Stewart. Any questions?

**Mr Newman:** Welcome, Mr Stewart. Why have you decided to volunteer to sit on the Town of Penetanguishene Police Services Board and what is it that would interest you to sit on the board?

**Mr Stewart:** As you can see from my résumé I've been in public service, servicing my own community for several years. I got out of it for a rest for a while, and this is one of the places where I think I can use my past experience. You know that the OPP has taken over Penetang this spring, so really it's a whole new ball game for me, I guess, other than just experience in a committee I sat on before. But really I just got out of politics for a rest and sort of get my feet wet again.

**Mr Newman:** Thank you.

**Mr Ford:** Mr Stewart, thank you for coming today. I have a standard question here that you'll give us an answer on, I hope. As a town councillor I'm sure there are difficult decisions that had to be made from time to time. How will you handle any tough decisions that may come up if you were to sit on the police services board?

**Mr Stewart:** Probably the same way as I did for the 17 years in council. You have to approach all angles on a situation and certainly work with the committee that you're on, as I've worked with council in the past.

**Mr Ford:** I have to say one thing. I'm impressed with your community service here in the pipes and drums, because I have a lot of friends who are involved in the same type of Scottish country dancing type of thing. I know it's quite a lively activity and it's very community-minded, so I understand that.

**Mr Bartolucci:** Again, welcome. You said you were the chair of the police committee before they became the police services board. Did you contract out to the OPP at that time as well?

**Mr Stewart:** No, no. That's when we had our own police force. In fact, we had our own police force till this spring and then the OPP took over this spring.

**Mr Bartolucci:** Right. How much is the contract for with the OPP?

**Mr Stewart:** Really I don't have that information.

**Mr Bartolucci:** You sat on council for a long time, so you know your community well. There's no question about that. Could you explain to me why your town

decided to go with a police services board of five when really the stipulation of three would suffice?

**Mr Stewart:** That I can't answer. I wasn't on council at the time. I don't really know their reasoning for going to that size of committee. I understand there's — what is it — three or five?

**Mr Bartolucci:** Yes. Depending on the police force size.

**Mr Stewart:** That was after my time in council.

**Mr Bartolucci:** If you had the opportunity to bring that up at a police services board meeting, would you recommend that they return to three as opposed to five or go to three as opposed to five? If so, why? If not, why not?

**Mr Stewart:** The thing is, this police services board is a new situation with me. I'd have to look into that situation to see what the pros and cons are to make a decision on that.

**Mr Bartolucci:** When you sat on town council, how many members made up town council?

**Mr Stewart:** Nine members, counting the mayor, yes.

**Mr Bartolucci:** The warden was a part of the bigger region?

**Mr Stewart:** I was deputy reeve and reeve of the town, so I represented Penetang at county council.

**Mr Bartolucci:** We had a gentleman just before you, and you were listening in on the interview, who was divided as to whether he wanted to remain with a local police force or contract out to the OPP because of a variety of reasons. You've lived both experiences. What is your reaction to the police force you have now in comparison to the force you had when you served earlier as a council member?

**Mr Stewart:** Just in my past experience, you can't tell whether there's really that much difference, since we've only taken on the OPP this spring. It's really hard to tell at this point whether they're going to be better than what we had.

**Mr Bartolucci:** Have you not noticed or have you not heard from the community at all? Has the transition been so smooth that no one's noticed either a difference, an improvement, or no interaction at all with regard to it?

**Mr Stewart:** I'm on the main street, I live on the main street, I have my business on the main street of Penetang, and certainly the speeders are cleaned out of town. They've been really nabbing them probably more than the Penetang police were. This is one thing that I've noticed, but it's pretty hard to tell, when they've only been in for a short time.

Mind you, I can remember as a kid, going back, that the OPP was in Penetang before and council decided to go to their own force again.

**Mr Bartolucci:** Just asking for a personal opinion again, do you like the OPP presence better than the town force presence? Which one would you prefer?

**Mr Stewart:** Really it's hard to tell. Mind you, out of the OPP probably half the police force from the previous police is working for the OPP in town. So as I say, it's too soon to really make a judgement on whether council has done the right thing or not.

**Mr Bartolucci:** Any initiatives that you'd like to start in your town with regard to policing?



**Mr Stewart:** The one thing I wouldn't like to see dropped is the participation that the police had in the schools in Penetang. We're not poor in schools. We have 11 schools in the town. That's one of the things. I'd probably like to see them get out in the community and do a little legwork and get to know people, but this is something that is going to hinge on whether the funding is there and the manpower.

**Mr Bartolucci:** There was that presence before when you had your town force.

**Mr Stewart:** Yes, there was a certain amount. They didn't ride around in the cruisers all the time. They were up and down the main street meeting people and so on. But I feel if the police are exposed to the public, it leaves a pretty good taste in the public's mouth when they see police going up and down the street other than with a car.

**Mr Bartolucci:** Yes, that's right. It's a lot better to be proactive as a police force rather than reactive by writing out tickets.

**Mr Stewart:** Yes.

**Mr Bartolucci:** I'm sure the increase in issuances of tickets can't be sitting well with the community.

**Mr Stewart:** That again is a little hard to tell. Probably with the OPP in there they are pretty stringent, where the town police were probably a little lax because they lived in the town and they knew everybody in the town.

**Mr Bartolucci:** These police officers who are assigned to the town right now, the eight constables, do they live in the town?

**Mr Stewart:** I believe they do, yes. Mind you, some of them are working out of the town as well, you know, over in Port McNicoll and in different locations from time to time.

**Mr Bartolucci:** Tell me a little bit about the community and the incidence of crimes over the course of the last year. Have you noticed or have you heard from police officers that the incidence of break-and-enters is up, as it is across most of the province?

1140

**Mr Stewart:** They're certainly up, but whether they're up since March is something I don't know. But during the past couple of years, the increase of break-and-enters around Penetang and area has certainly increased. There's people pretty hungry out there. They're even raiding freezers.

**Mr Bartolucci:** That's a sad commentary.

**Mr Stewart:** Yes, it is.

**Mr Bartolucci:** What concerns do you have with regard to policing in your own community because of decreased dollars being allocated to police services?

**Mr Stewart:** Again I don't know whether I can answer that right now, because I'm not involved with the police other than just as a taxpayer.

**Mr Bartolucci:** You've served your community for a long time. You're coming back — I'm assuming you will get this appointment — at a particularly difficult time for a police services board member. You'll have to use all the people skills you have used so effectively in the past today and in the future. If you had one piece of advice to give the government members on the other side, with regard to policing only, what piece of advice would you give them?

**Mr Stewart:** Probably to loosen up a little more money for policing.

**Mr Silipo:** Mr Stewart, are you a member of any political party?

**Mr Stewart:** Yes.

**Mr Silipo:** Which party?

**Mr Stewart:** The PCs.

**Mr Silipo:** I was struck by the comment you made just now in answer to a question from Mr Bartolucci. You said that people are pretty hungry; "They're even raiding freezers." Is that an indication of a greater level of need or poverty that, as you see it, is resulting in more crime out there?

**Mr Stewart:** I don't know whether you've heard that that area is — when you've got Mitsubishi that closed down at the end of August, and TRW is gone with 1,000 employees out of work, and several other factories, it's a pretty desolate area. Of course the province is cutting all over, welfare and unemployment, so it's a problem that's probably — the province will have to deal with it in the next few years, I would think.

**Mr Silipo:** When we have a situation in which there is a greater need, for a variety of reasons, including fewer jobs, less money coming from government for a number of services, do you have any indication that one of the things that will result from that is that we will see people resorting to crime as a way to survive?

**Mr Stewart:** I think this is a problem all over. I don't think it's just in Penetang. I think you've got that problem all over.

**Mr Silipo:** I agree. I certainly would not want to indicate that it's a problem just in Penetang.

**Mr Stewart:** I think we've outpriced ourselves in wages. That's the problem.

**Mr Silipo:** Okay. You made a comment just earlier with respect to the advice you would give the government members, which is to free up a little bit more money for policing. One of the things we saw from the Tory side when they were running in the election would seem to us to be a fairly clear promise or indication that they would maintain funding for law enforcement. As a member of the Tory party, was that your impression as well?

**Mr Stewart:** I don't know the real works of funding a police force, but if you'll notice on my résumé, I'm sitting on the airport commission, and we really got hit there pretty good. In another three years, we won't have any funding at all from the province, which is kind of heavy, so we're going to have to go to the communities that own the airport to get funding. But as far as the police are concerned, I don't know. There has been some suggestion of the individual police boards finding funding elsewhere than the province and the municipalities.

**Mr Silipo:** What do you think of that?

**Mr Stewart:** Actually, I don't know where you'd go, unless you went to the bingos.

**Mr Silipo:** It's a concern we share. One of the questions that's being looked at, I understand, as part of the review which includes this question of potential other funding for police services is the issue of whether in a jurisdiction like yours, where police services are being provided through the OPP — there's a question being asked about whether there is a need for a police services board. What are your views on that?



**Mr Stewart:** This is something I'm new at, the police services board. Even when I was on council, it was a committee of council. The police services board, I don't know. When the OPP came in, the responsibilities of hiring and firing are gone. There'd probably be a certain budget you'd be formulating, but the thing is, you've got a fixed figure on a contract with the OPP and it's with the council in Penetang. Not sitting on that board, I really can't give you a clear answer on what you're asking.

**Mr Silipo:** I guess you're saying that at the very least, there's a reduced role for the board to play, given some of the personnel issues.

**Mr Stewart:** Definitely, compared to the way it was.

**Mr Silipo:** In the question you were discussing earlier about the pros and cons of local police department versus the use of the OPP, I appreciate the fact that you're not of one view or the other in terms of which is better, as you said earlier, given that the OPP experience is still fairly recent. But if you as a member of the police services board had to assess that, say, after a couple of years of experience, what are the kinds of things you would look for, the kinds of criteria you would use in determining whether to continue that relationship with the OPP or whether to revert back to a distinct force for the town?

**Mr Stewart:** One thing is the financial element, of course. That's probably the biggest. Of course the next issue would be, are we getting the services we would if we were a separate police force? That's all I can say.

**Mr Silipo:** One person who was here earlier, in talking about this distinction, categorized the OPP presence as being more of a reactive force; that is, they're there to deal with incidents that come up as opposed to a local force perhaps being more proactive, being more visible, not just in terms of dealing directly with crimes but in the whole area of prevention, in being in schools etc. How important are those kinds of issues to you in determining whether a police force is working well for the community?

**Mr Stewart:** I would hope, as I said before, that the OPP continue the programs in the schools. I can't see any reason they shouldn't. This is educating your young people to be brought up with the proper information; you know, rather than saying, "There's a cop," instead they're calling them policemen.

**Mr Silipo:** One final question. Where do you stand on the question of who should have control over police budgets? Again, in this case it's perhaps a bit of a different issue, given the relationship and the purchase of services with the OPP, but I think it still applies in terms of, should the local council be the body that has final say over the police budget or should we maintain the present system which allows for a dispute resolution mechanism when there's a disagreement between the police services board and the local council?

1150

**Mr Stewart:** That's a question I could answer both ways. If we were in the situation with our own police force, the police services board would be handling it, and I think that's the place for it. But when you've got OPP, OPP has a contract with the town and council does financial dealing with the contract.

**Mr Silipo:** Is that contract directly with council as opposed to with the police services board?

**Mr Bartolucci:** I believe it's with the town.

**Mr Stewart:** Yes, as far as I know, it's with the town.

**Mr Silipo:** So in this case you're saying the issue doesn't really arise because the police services board isn't involved. But if you were revert back to a local police force — and there's no right or wrong answer to this. I'm just curious about where people stand on that issue of control of police services budgets. Should that control be there in the present situation, or should that be with —

**Mr Stewart:** It should really be with the police services board, but then you've got two councillors sitting there who are representing council.

**Mr Beaubien:** Good morning, Mr Stewart. Most of the presenters this morning alluded to funding, and certainly the members across. You seem to be very concerned about funding of policing services in the province, whether there should be more money or less money allocated to that service. I would strongly suggest to you that for the past 10 years the per capita household grants in the province of Ontario have been frozen at \$50.

Both of you gentlemen have had an opportunity to deal with this particular issue. However, you did not have the political intestinal fortitude to do it. This government presently is looking at funding issues with regard to policing matters in the province. I would strongly suggest that yes, maybe we do need more money for providing policing services, but it's not necessarily a lack of funding; we need a more equitable funding system in the province of Ontario. I think the present Solicitor General wants to deal with this issue.

**Mr Bartolucci:** Mr Chair, on a point of order —

**Mr Beaubien:** Mr Stewart, my question is to you —

**The Chair:** He's getting to the question now. Go ahead, Mr Beaubien.

**Mr Beaubien:** Do you feel we do have a problem with the equity in funding in policing? For instance, your municipality defrays costs for providing OPP policing, yet you have to defray costs for providing municipal policing, while other municipalities in the province do not have the cost of providing their own policing, costs of the municipal government. Do you see inequity in that system? Do you think that should be redressed or addressed?

**Mr Stewart:** Are you referring to the township?

**Mr Beaubien:** I'm sure you have surrounding municipalities, local municipalities in your township or in your county, that do not have local municipal policing costs associated with their municipal budgets. Do you think that is a fair and equitable system?

**Mr Stewart:** Certainly not. I think everybody should be paying. This is one of the things. The OPP have been out in the townships, and probably the townships have been getting away with murder when it comes to funding police forces. I think the province is looking at that situation right now, isn't it?

**Mr Beaubien:** Do you think the \$50-per-household grant that has been allocated to municipalities with their own police force is adequate funding?

**Mr Stewart:** I don't know whether it would be adequate. The only people who would know that is the Ontario government.



**Mr Beaubien:** Thank you.

**Mr Bartolucci:** On a point of order, Mr Chair: I come to committee to hear the views of intended appointees. I go to church on Sunday to listen to the sermon. The sermon I heard on Sunday was based on fact and reality, well documented in preparation, not the way Mr Beaubien presented his sermon, which was out of order, which was incorrect, which was misleading and which is actually —

**Mr Doyle:** What about your sermons? You've been giving them all morning.

**Mr Chudleigh:** Mr Chairman, you're out of order allowing a point of order in committee.

**Mr Bartolucci:** As they continue to interrupt, I continue to say that he makes no sense at all. I suggest that the witness answered the question well, considering that it was a question that deserved only one answer.

**The Chair:** I think it's safe to say that both sides of the table have succeeded in teasing the bears. If that's the end of the questioning, Mr Stewart, I thank you for coming before the committee and provoking as much interest as you did among the members.

**Mr Stewart:** Thank you very much.

**Mr Bob Wood:** On a point of order, Mr Chair: Would there be any interest in doing the concurrences now?

**The Chair:** I was just going to ask that. I think there's an agreement that we deal with the two concurrences remaining from this morning's appointees.

**Mr Bob Wood:** I will therefore move concurrence in the intended appointment of Mr Tompkins.

**The Chair:** Any comments on concurrence for Mr Tompkins? If not, all those in favour? Opposed? It's agreed.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Stewart.

**The Chair:** Any comments?

**Mr Silipo:** I certainly will be supporting this appointment. I just want to note that I was struck by Mr Stewart's courage in a quiet but clear way expressing his concern about the impact of a variety of cuts and what they're doing to, among other things, the level of crime in the province.

Mr Beaubien differs on this issue, perhaps, but he might very well re-read that section of the Common Sense Revolution that said that funding for law enforcement and justice would be guaranteed. I don't think I'd have any disagreement with him about the need to provide greater equity in this area and indeed other areas, but the basic reality is that a promise was made by his government, his party, that is being breached. I think we heard from Mr Stewart some of the impacts of that. For that and many other reasons, I certainly would support Mr Stewart's appointment.

**The Chair:** Are you ready for the question? All those in favour? Opposed? It's carried.

Thank you, gentlemen, for that. We will reconvene at 1:30 for the two remaining intended appointees. We know that cabinet is meeting today and there could very well be some certificates coming from that, at which point the subcommittee might want to meet at the end of the regular committee meeting. Would that be appropriate for members?

**Mr Bob Wood:** We're going to attempt to get the material from the cabinet. We can't guarantee that we'll have it, but I'd like to suggest we have the meeting anyway, in case the members might wish to do it simply by fax or mail.

**The Chair:** Let's do that, then.

**Mr Bert Johnson:** On a point of order, Mr Chair: On the first three votes for concurrence, we were directed by the Chair that it was a unanimous vote. In the last two we weren't, although they appeared to be. Is that inconsistent? Is it a matter of concern?

**The Chair:** We can make that note, if you like.

**Mr Silipo:** Actually, the first three weren't; the first two were. I voted against it.

**The Chair:** The first two were, yes.

**Mr Bert Johnson:** And the last two. I'm sorry; you're absolutely right.

**The Chair:** Thank you for that. We are adjourned until 1:30.

*The committee recessed from 1159 to 1334.*

#### WILLIAM BUFFAM

Review of intended appointment, selected by the third party: William J. Buffam, intended appointee as member, the Town of Smiths Falls Police Services Board.

**The Chair:** The standing committee will come to order. We have a couple of intended appointments to deal with this afternoon and then concurrences. The first one is Mr Buffam.

Welcome to the committee. Have a seat at the table there. Make yourself comfortable. It's the custom that if you wish to, you may make a few opening remarks to the committee. That's not necessary, but you're free to do so.

**Mr William Buffam:** It's difficult to encapsulate 32 years of municipal business into a short period of time. However, I'm quite proud of my accomplishments over the years. I initially entered municipal politics in 1956 as a councillor in the township of Montague, which is on the eastern outskirts of Smiths Falls and follows the Rideau Canal to Merrickville. I held this position for roughly 10 years and approached that as a learning period to expand my knowledge in the municipal field.

In 1966 I entered into the reeveship and for the next 22 years dealt with local municipal problems. I served as warden of Lanark county council and as chairman of the Leeds-Grenville-Lanark district health unit. I was involved in the development of the first social services department in the county of Lanark, also the development of a personnel department. When I went to the county we had between 300 and 400 employees, and there was not adequate coverage in the personnel problems.

I was also involved in one of the early amalgamations of the two public hospitals in Smiths Falls, which was a rather sensitive issue based on the fact that one was a Protestant hospital and the other a Catholic hospital which had long roots in the community. Fortunately we were able to resolve the concerns and the hospitals were designated critical and chronic care facilities.

I served on Lanark Homes, helped with the extension of the homes for senior citizens, served personnel and served on most of the committees, and one of the high-



lights which I'm rather proud of is that I helped to bring Montague from the 19th century into the 20th century. It was a rather primitive rural community when I became involved, with no permanent staffing and very limited facilities. By the time I left we had established office facilities, permanent office staff, permanent road staff, developed a road program, municipal buildings, and one highlight that I'm very proud of is that we were one of the earliest municipalities to develop a book on the township's history, dating from 1792 to 1982. I'm very proud of that achievement.

**Mr Beaubien:** For the record, what is the proper spelling of your name? I have three documents in front of me and they are all spelled differently.

**Mr Buffam:** I apologize, sir. Our name has been distorted many times. It's Buffam. It was originally a French name that was anglicized.

**Mr Beaubien:** I can sympathize with you on that.

As a former councillor, former reeve and former warden your municipal experience is certainly extensive. What is your vision of policing needs and how the cost should be borne in the 1990s or going into the next century?

**Mr Buffam:** Cost in the 1990s is a very sensitive issue, seeing that we're faced with downsizing or reduction of funding. I must admit that I have attempted to familiarize myself with the philosophy of the police services board. As I used to tell my employees, it's not a matter of working harder; it's a matter of working smarter. I think we have to look at economies, be creative and search for methods of still maintaining confidence in the police to do their business and yet manage their financial resources.

**Mr Beaubien:** I certainly cannot disagree with you when you say that we have to work smarter and be more creative. However, do you feel that with regard to funding municipal police departments in Ontario, we have to bring more equity into the system?

1340

**Mr Buffam:** Equity? In what respect?

**Mr Beaubien:** For instance, many municipalities in Ontario do not have any policing costs associated with their municipal budget.

**Mr Buffam:** These are ones that are serviced by the Ontario —

**Mr Beaubien:** The OPP, yes.

**Mr Buffam:** It's a difficult question. If I might be so bold as to state, you could always look that the OPP took total coverage of the entire policing and that the municipalities then funded their operation, but it would be a removal of local responsibility that we're all so very concerned about. It's a problem that I don't think is readily or easily addressed.

**Mr Beaubien:** What would be your personal preference? To maintain a balance between OPP policing and municipal policing in Ontario as opposed to having just one providing the service for everybody?

**Mr Buffam:** Policing becomes extremely difficult. In our municipality the local police force works in cooperation with the OPP. If they are unable to attend to a situation outside the municipality or boundary, the Smiths Falls police will cooperate. I admit I'd have to delve into it more to give you a more accurate answer.

**Mr Ford:** Before I ask you my question I'd like to make a comment about Smiths Falls. I used to go up there quite a bit because I had an assignment with Hershey chocolate, and I see you were involved with them for about 34 years. Is that right?

**Mr Buffam:** From 1962, sir.

**Mr Ford:** Also, I used to talk about Smiths Falls quite a bit because I went through there. Many industries would leave their doors unlocked at noonhour and the place would be empty. You could walk almost right through the plant and walk out and never see anybody there at noonhour, and I thought this must be a very honest community.

**Mr Buffam:** It is basically honest, but times have changed somewhat across the province. We have at Hershey a complex monitoring system now that allows us to control all aspects of the plant. In the early years we were able to park our loaded trailers outside for pickup without any concern for vandalism. As time progressed, that became an impossibility. Consequently some of the plant is now surrounded by a security fence and the whole area is now monitored by cameras.

**Mr Ford:** Things have changed.

**Mr Buffam:** Changed in conjunction with what's happened across the province, I suspect.

**Mr Ford:** The question I have is, what role does the police services board play in your community? Why is the board important?

**Mr Buffam:** The board, as I can see it, is a management board. It interprets legislation and works in conjunction with the existing police force to ensure that adequate policing and crime prevention are pursued. If I might prevail upon one thing, I think it's most important that police services boards and the police establish a rapport with the general public. If police are perceived as being a law unto themselves, we don't get what I believe is public cooperation. I believe it's most important to have a community policing function where our young people are taught to respect police and the law. This in itself may reduce some of the problems that exist today.

**Mr Ford:** Thank you very much for answering that question. I just want to make another comment. I have to commend the people of Smiths Falls, because they were extremely friendly and I found them to be extraordinarily honest.

**Mr Buffam:** Thank you very much, sir. I'll convey that to the people of Smiths Falls.

**Mr Gravelle:** Mr Buffam, how are you?

**Mr Buffam:** Fine, thank you.

**Mr Gravelle:** There is a ministry discussion paper, a review of police services in Ontario, which the minister put out in June, and there was some discussion with a variety of police chiefs. Are you familiar with that paper? Have you had a chance to read it?

**Mr Buffam:** No, I have not.

**Mr Gravelle:** There are some options being discussed. One can argue that there's a need for greater protection, more police services, and many members of the public would argue for that, yet there's no question that there's going to be less of a financial commitment from the government, despite the promises they made in the last election. There's obviously going to be a reduction in



support. As a result of this, some of the options they're discussing are alternative sources of revenue for the police. Have you had an opportunity to discuss with anybody —

**Mr Buffam:** No, I'm afraid I've come on with little to no background in this field. It's absolutely new to me. Anything I might express would be a personal opinion that I've formulated from seeing what's transpired and from reading the local newspapers and that.

**Mr Gravelle:** I think your personal opinion would be very important; it couldn't be more significant, in fact, assuming you are appointed to the board. And you certainly seem like a gentleman who would be qualified in terms of your background and experience in every way, and your commitment to your community. I'd be curious about how you feel about the potential for alternative sources of funding, having the police basically get into —

**Mr Buffam:** I have some concern about, I guess you might say, commercializing a police force. I think we have to explore avenues that leave the police apart from public criticism of being too commercialized. We have to look at avenues that provide a stature to the police force.

I might explain that three of my relatives are police officers, one an RCMP, two municipal, and one of my relatives is a provincial court judge, so I've had occasion to see some — but I think we have to sustain a stature. I have a great deal of sympathy for the police force in the fact that we ask them to protect us, in some cases put their lives on the line, yet on given occasions the public is prepared to attack them. Right or wrong, it's the public perception, and I think it's most important that the police force maintain that independent stand that they're governed by the law and by public funding.

**Mr Gravelle:** I think a lot of people would share your concern. I'm certainly pleased to hear that you would be very careful about letting the police departments do that, because obviously they have a very real role to play. When you're selling police services, for example — that's an option — and doing advertising, there are some elements there that can only, it seems to me, take away from what their main thrust is.

What about literally privatizing some of the functions; for example, having some of the functions that one normally associates with policing in terms of the court system and transporting prisoners etc taken away as a responsibility of the police and having civilians or businesses do that? How do you feel about that?

**Mr Buffam:** The only thing I see from a financial standpoint is that it's still a cost incurred by people, and again we're allowing what I consider to be people who are not trained in the policing profession to deal with some of these issues. I can see the utilization of volunteers or auxiliaries to take over some of the functions of the police force and allow the police department to pursue the more critical issues of law enforcement.

**Mr Gravelle:** I appreciate your thoughts on that. I'm glad you've got some concerns. I wish you all the best.

**Mr Buffam:** Thank you.

1350

**Mr Silipo:** Mr Buffam, one of the issues that's being looked at in this review is the whole question of accountability of police budgets. I'd be interested in your

thoughts, particularly given your experience as a former municipal councillor, about that issue. Do you believe the budgets of police services boards ought to be, at the end of the day, under the approval and control of the local council, or are you more satisfied with the present system, which gives some level of independence to the police services board and allows for a mechanism to resolve disputes between the two?

**Mr Buffam:** I think we have to allow two responsibilities to exist. The municipality is responsible to the taxpayers for the gathering and dispensation of tax funds. At the same time, the police services board, or the management board, is responsible for the guiding of services in the police field. What we have to do is bring together this function so that both parties can work effectively and in the best interests of the people, and at the same time be well concerned about the expenditure of tax dollars.

**Mr Silipo:** When we look at the police services in Smith Falls, we're told there's a force with a budget of \$1.7 million, 19 uniformed officers, six full-time civilian employees, four part-time etc. Is your sense that we have a service in Smith Falls that's good for the community, that's worth maintaining essentially as it is, or do you anticipate major changes in the next couple of years with respect to how those services are delivered?

**Mr Buffam:** Again I must state that my knowledge is rather limited to the fact of being a resident of Smith Falls and what has been published in the paper. I think there's room to resolve the problems. My approach in any matter is cooperation rather than confrontation, because confrontation merely diminishes the relationship between the two bodies and sometimes causes problems not to be resolved in the best interests of either party.

**Mr Silipo:** Whether it's from your perspective in public life or from your perspective as a citizen of the community, what are your thoughts on what we are seeing happening in a number of other places? I don't know what the situation is in Smith Falls. I can only assume it's similar to other communities in terms of the police services board having to deal with reduced budgets as a result of municipalities being cut back by the province, with them in turn cutting back on the budgets of police services. I'd be very much interested in your thoughts on that. Do you have concerns about that? Is it something that you think can be managed? Where do you stand on that?

**Mr Buffam:** There's a lot of words transpired, sir, and I'm just trying to filter them through to give you an accurate answer.

We've reverted to a situation where resources are becoming scarce — I have to relate back to my early years when times were extremely difficult — and people are able to develop. In these situations, it's difficult, but not impossible, to resolve these problems. We're going through a difficult transition in the province now because of the reduction in funds. It's not only the police services board but many other bodies that are suffering the same circumstances. I think we're just going to have to look at it and do the best we can under the circumstances. Given critical times, I think people rise to the occasion and we'll resolve the problem in everybody's interests.



**Mr Silipo:** I hope you're right, for the benefit of the people of Smiths Falls and throughout the province. My concern is that in this area of service we have on the one hand the reality you described at the beginning in your exchange with Mr Ford, that is, that the town of Smiths Falls, just like the rest of the province, isn't what it was in terms of degree of safety and openness that one experienced in years past. There is, whether we like it or not, a greater need for security police services, however best those can be defined and provided.

At the same time, part of the reason I, as an individual member of this Legislature, continue to pinpoint this issue is that we have a government that was elected, among other things, on a promise that they would not make any cuts to the whole area of policing and law and order, that yes, there would be savings found, better ways found to do things, but that money would be maintained within the system.

That isn't what we are seeing. We are seeing direct cuts to municipalities which are of course translating into cuts to police services boards, among others. A number of people are continuing to point out to us that that is indeed diminishing the ability that, in this case, police officers have to protect us.

**Mr Buffam:** One approach I take is that we can't always rely on the province to fund all our operations. Since the police force in Smiths Falls is a municipal police force funded by the local municipality, I would look at the approach of monitoring the public's perception of what's being done. If we need security, I would approach the people with the fact that contributions would have to come up to maintain that level of funding. Funding is either direct or indirect, and it all comes from a tax base. Regardless of whether it comes from the local tax base or the province, it's still a requirement.

**Mr Silipo:** I couldn't agree with you more. The problem I'm having is that when Mr Harris went out and made that promise, he didn't tell people that the other side of the coin was that people might have to pay more through their property taxes to maintain the same level of service. I'm interested in the fact that you don't seem to be too worried about that.

**Mr Buffam:** I've had a personal experience; I've had a break-and-enter. I have considerable property which has suffered vandalism. I'm a rather large taxpayer in the town of Smiths Falls and I wouldn't hesitate at all to see my taxes go up to fund the difference between what the province might have reduced and what is required to operate efficiently.

**Mr Silipo:** I expect you'll have to do just that.

Let me ask you one other question that I've been asking and ask all intended appointees who appear before us: Are you a member of any political party?

**Mr Buffam:** No.

**Mr Silipo:** Have you ever been one?

**Mr Buffam:** Yes. Some years ago I was, until the former Prime Minister became Prime Minister. I make no bones about it: I was sorely distressed with the way he handled the federal government, and at that point I disassociated myself from that particular party.

**Mr Silipo:** You're talking about the Progressive Conservative Party?

**Mr Buffam:** Right.

**The Chair:** We have used up the full time. Thank you very much, Mr Buffam, for appearing before the committee and for answering the questions put to you.

**Mr Buffam:** Thank you very much, gentlemen. I hope I haven't gone outside my bounds in any respect.

**The Chair:** Not at all.

**Mr Buffam:** I appreciate your time. Thank you.

1400

#### GRAHAM STRACHAN

Review of intended appointment, selected by official opposition: Graham Strachan, intended appointee as member, Ontario Mental Health Foundation.

**The Chair:** Let us move to the final intended appointment for the day, Mr Graham Strachan. We welcome you to the committee. It's customary to give you the opportunity, if you wish, to make a few opening comments, but it's not required, before we get into the questions.

**Mr Graham Strachan:** I am Graham Strachan. I am the president and CEO of a small Canadian biopharmaceutical company applying molecular biology and genetic engineering technology to discover and develop therapeutic products to treat various illnesses. We're located in Mississauga. I participate in several industry associations relating to biotechnology in Canada and am chairman of the National Biotechnology Advisory Committee.

**Mr Ford:** Good afternoon, Mr Strachan, and thank you for coming today. I've got a number of questions to ask you. I'll just take them one at a time.

The foundation supports research, professional training and education. Which of these areas do you feel needs most attention?

**Mr Strachan:** I would say all three areas need attention because they all build on one another. But the area I'm most deeply interested in and am concerned with is the research end of the spectrum, because that is the lifeblood of future economic commercial developments in this province and in the country. It's the area I know best. I am involved in training through the recruitment and hiring, of course, of trained scientists and technicians.

**Mr Ford:** I see your extensive background there. In 1988, you secured financing for Allelix Biopharmaceuticals. Do you feel that you may have fund-raising abilities that can contribute to the board? Are you the fund-raiser?

**Mr Strachan:** Well, I participate —

**Mr Ford:** You're part of it, participation.

**Mr Strachan:** Sure. I have a lot of experience in raising money, investment capital, to commercialize early-stage scientific discoveries, to take them from our universities, medical schools, and build them through the chain into products. I've raised money to do that. I think one of the challenges for the foundation over the next few years is how to make do with less money and build on partnerships with other groups that have money.

**Mr Ford:** How has the company grown with that financing?

**Mr Strachan:** We started in 1988 with 40 employees, half PhDs. Today we're about 180. In the last year we've added 25 staff.



**Mr Ford:** So it's the same company still. It hasn't been merged with another company?

**Mr Strachan:** No, we're a Canadian company.

**Mr Ford:** That's very good. You mention in your résumé that you've completed several major strategic alliances and joint ventures. What alliances do you feel will be important to build for the Ontario Mental Health Foundation?

**Mr Strachan:** I think alliances with various research groups, various patient groups, for example, the schizophrenia society, Alzheimer's Canada, other groups like that. Then at the other end of the spectrum, of course, there is considerable capital available for supporting medical research through new vehicles like the Canadian Medical Discovery Fund, Working Ventures, other initiatives, which I think in an innovative way can be tapped into as a source of funding.

**Mr Ford:** Are you still a publicly held company?

**Mr Strachan:** Yes.

**Mr Ford:** Do you feel there is any conflict of interest that exists by sitting on this board and working for a pharmaceutical company?

**Mr Strachan:** I would say there's potential for conflict of interest. I have served on various bodies of this type and nature. Whenever an apparent conflict seems likely, I've declared it and not participated in the discussion. I would say the incidents in which that occurs have been rare, and I believe they can be handled, provided one recognizes the situation.

**Mr Ford:** Thank you very much, sir. Good answer.

**Mr Bob Wood:** We'll reserve the balance of our time.

**Mr Gravelle:** Good afternoon, Mr Strachan. Did you apply for the position on this committee? I'm just curious as to how it came about.

**Mr Strachan:** Someone wrote me a letter about a year ago mentioning to me that someone had suggested I had certain skills and capabilities that might help the board and the foundation, and would I be interested in participating.

**Mr Gravelle:** Whose office did that come from?

**Mr Strachan:** The director, Dr Cappell.

**Mr Gravelle:** There is an interesting connection in terms of your business career, and the question about the potential conflict is a fair one, but I think you recognize that possibility exists.

Have you had an opportunity to do any research in how the foundation has worked in terms of some of the funding it has done for research? Have you had much of a chance to do that yet?

**Mr Strachan:** Yes, I've reviewed the material, I've reviewed the projects that are being supported; I'm familiar with some of them. I've got reasonable understanding of the state of the art and scientific developments in this area in the province.

**Mr Gravelle:** One of the concerns about the grant process has been that in some areas there are limitations in the amounts that can go towards some of the grants. I think Mr Fish, the chair, was here in February and mentioned how they were making attempts to combine money so they can have larger amounts. Do you see that as being a barrier, in terms of having limitations in the funds?

**Mr Strachan:** I think it's always a challenge. There is never enough money for research of this nature. You've got to set priorities. You've got to recognize what are the excellent areas so you build critical mass and support these areas. It really is a question of setting priorities. I think there are some opportunities for leveraging various funds, for bringing different groups together in partnerships to build and accelerate the scientific progress.

**Mr Gravelle:** One of the realities of a foundation like the Ontario Mental Health Foundation and the nature of what they do, which is giving research grants — and this probably goes to other research areas as well — is that the public probably doesn't have as easy an opportunity to understand the benefits. You're not going to have a press release at the end that says, "We've done this, this and that." Do you feel there's a need for more public awareness of what the foundation does, in essence a need to maintain support for the foundation? I'm leading to something here.

**Mr Strachan:** Fine. I would say yes, clearly, and that's true in many other areas of this type of activity. But I think there has been progress made. In this city the work on, for example, understanding Alzheimer's disease and the causes of Alzheimer's disease has got fairly wide publicity in the last two or three months.

**Mr Gravelle:** With the direction the government is moving in — looking for more support from the corporate sector, looking for more support from the volunteer sector — do you think there's a chance that the funding levels could be reduced? How would you respond if the funding from the government was reduced? Do you see it as a challenge that you could face?

**Mr Strachan:** I think if you look back over the last five years, there have been reductions across the board in expenditures on scientific activities, programs and work. I suspect that the belt is going to continue to be tightened. By the same token, there are different avenues being opened up. I mentioned earlier Working Ventures, the Canadian Medical Discovery Fund. They're sitting on enormous pools of capital in part because the stage was set, the environment was set, to encourage these pools to be formed. I don't have specific points to cite there, but these could be new mechanisms, new vehicles, to supplement government funding.

**Mr Gravelle:** Some would argue and have argued that there is a need to spend more money on research. In finding the solution, if not the cure, to some of the problems we have in terms of mental health and others as well, because it's a long-term goal, it's a little more difficult to justify at times. I think it's fair to say — we probably wouldn't get much argument from anybody in this room — that there's a tendency right now to be looking for short-term cost savings. I'm certainly familiar with those who would argue that research is one where you need to have long-term goals in mind and recognize that; in other words, have some patience, some understanding. Would you argue for an increase in terms of the support for the foundation itself, or at least some kind of confirmation of support?

1410

**Mr Strachan:** Yes. I've taken the position both federally and provincially that there needs to be, there



should be greater support at the basic level, because that is the foundation from which economic growth, commercial discoveries will come in five, 10, 15, 20 years. We're seeing today in this province the fruits of some of the expenditures that were made 20 years ago in Mount Sinai and Sick Kids and elsewhere. I think there is a continuing need and I would argue for it and I think the record shows that there's been a reasonable return and an increasing return on prior investments in this area.

**Mr Gravelle:** The argument will probably continue forever in the sense that there is still a tendency to look for the answer in the short term. There are those who feel it's not worth waiting for, and I think there is a need for great patience and you get great returns for that.

**Mr Strachan:** Absolutely.

**Mr Silipo:** Could you talk a little more about where you see this relationship between government and the industry meeting in terms of responsibilities for research, particularly the funding of research?

**Mr Strachan:** It's the job of government to really make sure that investment in the basic sciences, the pre-competitive area, is captured in this province and the country and translated into, first, jobs and, second, products and processes of economic return. I would argue that it is not industry's role to really play a key part in the pre-competitive phase of research. That isn't their job, because the return isn't going to come for 15 to 25 years and it's going to be a return across the broad basis of society, not to one particular niche.

In the science I'm involved with, of molecular biology, DNA, understanding the cause of genetic diseases — the genetic basis for cystic fibrosis, for example, other things — the science underlying these advances goes back 25, 30 years. It's taken that length of time to translate them into products and processes. That is the job, in my view, of government, to make sure that the pre-competitive or the basic sciences are well supported, that we're able to recruit and bring in the very best scientists. We can't do this across the board; we just don't have the resources to compete, for example, with the United States across the board. On the human genome project, for example, the United States is spending \$250 million, \$300 million. We are spending \$2.5 million, \$5 million, something in that range. So we've got to select our niches, and I think over the years we've been quite successful in doing that.

**Mr Silipo:** The pools of funds that you mentioned earlier, were those pools within the industry, or are those government pools of funds that you think should be better utilized?

**Mr Strachan:** They have pools of money from individuals, from private people, very much catalyzed by government policies and programs, largely tax incentives. Probably at RRSP time you see them.

**Mr Silipo:** I very much appreciate the distinction you're drawing and I'm generally comfortable with what you're saying in terms of where you see government playing a role in terms of funding or having primary responsibility as opposed to industry. Where do you see the role of government, through grants or tax incentives or however it would be done, acting as a catalyst to draw a variety of industry, but I'm asking specifically in terms

of this particular area, pharmaceutical companies and others, into the Ontario jurisdiction? That's what we're primarily concerned with here. Is that, in your view, an appropriate role for government to be playing, saying to companies, "If you're prepared to come to Ontario to establish here, we will provide some incentives" — that could be in the form of some tax reductions initially or upfront grants — "if part of that involves not only the jobs in the company that will be established, the investment that comes with that, but also some commitment to research"? That goes a little bit beyond, perhaps, the immediate —

**Mr Strachan:** The reality is that in fact the various jurisdictions in this country are offering very significant advantages for companies to move there. If you look at the sector I'm particularly involved with, the biopharmaceutical-biotechnology, the areas of the country in which biotechnology is growing and is becoming a very important factor in the economy are Quebec, Saskatchewan — particularly in agricultural biotechnology, around the University of Saskatchewan, the Prairie Research Institute — and British Columbia. These are the three what I call pulls.

I spent some time in committee under the previous government looking into biotechnology and the structure of biotechnology in the province. Unfortunately, we weren't competitive in the incentives we were able to offer companies. There are many advantages to locating in Ontario: The scientific base here within half a mile of this building on University Avenue is a tremendous resource; the trained workforce, graduates coming out of the universities; and a stable political climate. There are many advantages, but the reality of life is that some of these other jurisdictions are offering very considerable incentives.

**Mr Silipo:** Is it your sense that that's something we should be prepared to do as a jurisdiction?

**Mr Strachan:** I think you've got to look at it very carefully. I think there are some other advantages in Ontario.

**Mr Silipo:** Part of the reason I raised it was because I was particularly struck to read the other day that one of the things the Premier is going to be doing on his trip to Europe is trying to encourage some pharmaceutical companies, I believe, to come and open up shop here in Ontario. I think it's good that he's doing that. I just found it a little odd against an action this government took only a few months ago. There was a company looking to settle here in Ontario which had been granted a relatively small amount of money — I forget the exact amount, but it wasn't a lot — by the previous government. That was withdrawn by this government, with the result that that company has now opened up in Quebec, with an overall investment of millions of dollars and about 100 jobs that would have been created, a fair amount of research commitment. I just found that slightly contradictory, and that's one of the reasons I flagged that question.

I don't have anything but support for your appointment to this board. I think you bring an interesting wealth of experience. I just have one last question that I ask all applicants, and that is whether you are a member of any political party.



**Mr Strachan:** No.

**Mr Silipo:** Have you ever been a member of any party?

**Mr Strachan:** No.

**The Chair:** If there are no further questions, Mr Strachan, thank you very much for coming before the committee. I think you can see that the members of the committee have appreciated your presence here and your answers. Thank you.

**Mr Strachan:** Thank you very much for your time.

**The Chair:** We have now to deal with the concurrence of this afternoon's intended appointments.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Buffam.

**The Chair:** You heard the motion. Is there any comment on the motion? If not, ready for the question? All those in favour? It is unanimous agreement. Thank you for that.

**Mr Bob Wood:** I'd like next to move concurrence in the intended appointment of Mr Strachan.

**The Chair:** You've heard the motion. Any comment or debate? Ready for the question? All in favour? Another unanimous agreement. What a committee.

**Mr Bob Wood:** It shows the quality of the appointments, Mr Chairman.

**The Chair:** Don't tease the bears.

**Mr Bob Wood:** I was doing my best to prolong the meeting.

**The Chair:** That completes our business on intended appointments. I'd ask the clerk whether we've had any indication about certificates from today's cabinet meeting.

**Mr Bob Wood:** It would appear they'll be about 35 minutes from now.

**The Chair:** I'd ask the people on the subcommittee whether they'd be prepared — are they going to be here? We could sit down somewhere around 3.

**Mr Bob Wood:** I'm wondering what prospect there might be to meet now, with a view to maybe having the names submitted over the next six days. Could we take a crack at a meeting now? If it doesn't get anywhere, I'm certainly prepared to come back at 3 if need be. If you folks can deal with these immediately, that's fine, but I would have thought you might need some time to study these before names could be chosen.

**The Chair:** We don't have them, right?

**Mr Bob Wood:** No, but even if we did have them, would the members be —

*Interjection.*

**Mr Silipo:** Mr Chair, what I think Mr Wood is suggesting is what we did for today's meeting, which is that each of the caucuses were asked to submit names of people they wanted to review by a certain time to the clerk, and we then proceed on that basis. I'd be happy with that.

**Mr Gravelle:** I would support that as well.

**Mr Bob Wood:** Maybe we can have a brief meeting of the subcommittee right after this meeting which will deal with it. We can set a time, and that will be it.

**The Chair:** Is that agreed? All right, let's do that, then. We'll adjourn this committee, having completed our work for the day. Thank you very much.

*The committee adjourned at 1421.*





## CONTENTS

Wednesday 4 September 1996

<b>Intended appointments</b> .....	A-447
Mr Jim Cameron .....	A-447
Mr Edward Wetherall .....	A-450
Mrs Shirley Cordiner .....	A-453
Mr Dennis Tompkins .....	A-457
Mr Arthur Stewart .....	A-461
Mr William Buffam .....	A-464
Mr Graham Strachan .....	A-467

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\*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Mr Tony Silipo (Dovercourt ND) for Mr Kormos  
Mr Ted Chudleigh (Halton North / -Nord PC) for Mr Leadston  
Mr Marcel Beaubien (Lambton PC) for Mr Preston

**Clerk / Greffier:** Mr Todd Decker

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 2 October 1996

# Journal des débats (Hansard)

Mercredi 2 octobre 1996

**Standing committee on  
government agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues



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LEGISLATIVE ASSEMBLY OF ONTARIO  
STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 2 October 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO  
COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 2 octobre 1996

*The committee met at 1004 in room 228.*

ELECTION OF VICE-CHAIR

**The Chair (Mr Floyd Laughren):** Are we ready to start, ladies and gentlemen? I will recognize Mr Wood.

**Mr Bob Wood (London South):** Mr Chair, I'd like to nominate Mr Tony Silipo as Vice-Chair of the committee.

**The Chair:** Mr Silipo has been nominated as Vice-Chair. It does not require a seconder. Are there any further nominations for Vice-Chair? Hearing none, Mr Silipo, will you accept the nomination as Vice-Chair?

**Mr Tony Silipo (Dovercourt):** I will, thank you, sir.

**The Chair:** Thank you, and may I welcome you to the committee.

**Mr Bob Wood:** I wonder, Mr Chairman, if I might also move that Mr Silipo replace Mr Martin in the membership of the subcommittee on committee business.

**The Chair:** You have heard the motion. Any debate? If not, all in favour? Opposed? It's carried. Thank you for that.

**Mr Bob Wood:** I might say, for the purpose of the record, those of course are decisions of the New Democratic Party, which is entitled to make those decisions on those matters.

**The Chair:** Yes.

**Mr Silipo:** Something like that, otherwise —

**Mr Peter L. Preston (Brant-Haldimand):** But we agree.

**The Chair:** Yes, that was very clear.

**Mr Rick Bartolucci (Sudbury):** Those are the type of decisions that seem to make sense.

**The Chair:** Yes.

SUBCOMMITTEE REPORTS

**The Chair:** The next order of business is the report of the subcommittee. I think you have it in front of you.

**Mr Bob Wood:** Mr Chair, I'd like to move the adoption of the report of the subcommittee of September 10, 1996.

**The Chair:** That one deals with the September 4 certificates. Any debate on the motion by Mr Wood? If not, all in favour? Opposed? It's carried. Thank you for that.

The next item of business is the report of the subcommittee dated Tuesday, September 17.

**Mr Bob Wood:** Mr Chair, I'd like to move the adoption of the report of the subcommittee of September 17, 1996.

**The Chair:** Any debate? All in favour? Opposed? It's carried. Thank you for that.

INTENDED APPOINTMENTS

SYLVIA HUDSON

Review of intended appointment, selected by third party: Sylvia Hudson, intended appointee as member, Metropolitan Toronto Police Services Board.

**The Chair:** Mrs Hudson, welcome to the committee. Please be seated and be comfortable. We have a tradition of each party having 10 minutes to talk to you, and you have an opportunity to make any opening statement you might want to make. It's not necessary, but please feel free to make any opening statement you'd like.

**Mrs Sylvia Hudson:** Good morning, everyone, and thank you for having me here. I just want to thank you for meeting with me today and giving me an opportunity to discuss my appointment.

Just to fill you in a little on my background, I was born in Port Antonio in Jamaica. I have been married for almost 20 years. While I was in Jamaica, I worked as a police officer for seven years and have gained extensive knowledge in the criminal justice system in dealing with offenders and law-abiding citizens.

In 1977, I moved to Canada in search of a better future. On my arrival in Canada, I was unable to obtain employment immediately. Therefore, I went to George Brown College, where I studied secretarial courses and office procedure. After graduating from George Brown College, I sought employment as a coding clerk at Christian Children's Fund of Canada. After a few months on the job, the director of Christian Children's Fund of Canada promoted me to supervisor in charge of the coding clerks. CCFC was at the time located at Yonge and St Clair, which was a block from where I lived on Rosehill Avenue.

In 1982, CCFC decided to move their office to Scarborough. It was then that I decided to seek employment elsewhere, as it was too difficult for me to travel to Scarborough.

1010

My husband was then the supervisor of the computing centre at Ryerson Polytechnic University. He encouraged me to seek employment at that university and at the same time pursue my educational goals. There were several clerical positions available on a contract basis for three months. I applied for the admissions liaison clerk's position. This position I still hold. Two months after my employment at Ryerson, the position became full-time. I am still in that position as an admissions clerk.

During that period I continued to upgrade my education through continuing education, and in 1987 I applied to the school of social work and was admitted into the



program. I have since graduated with a bachelor of social work with a minor in public administration. In addition, I have a certificate in management and community studies. I'm currently enrolled in the public administration program.

In 1982, we purchased a home in East York. Moving into the community, I felt the need to do something for my community. I sought volunteer opportunities in the area and was accepted with the Ministry of Community and Social Services, probation. I started working as a volunteer in Yorklea detention home. In 1983, I worked as a life skills worker, helper on the floor, and just a generalist in the detention home.

I became ill in 1985 and eventually moved out of East York into Scarborough. There I started working out of the probation office in Scarborough as a one-to-one with young offenders. The probation office then developed a program called the victim witness interview program. I was asked to participate in that program. The program was rewarding for me, challenging and frustrating: rewarding because I am there with the victims, at their homes or on the telephone, showing empathy and concern and assuring them that somebody cares; frustrating and challenging because it gave me the opportunity to observe and hear at first hand the psychological effects of crime on its victim, and sometimes helplessness.

In 1993, I assisted with the creation and implementation of the victim impact awareness program, which is now being used effectively in the Scarborough office. At the same time, in 1993, I started working as a volunteer reporting officer, enforcing probation orders, setting goals, linking youths to appropriate resources in the community, counselling and other things just to be with the youngsters. I still do some of the victim interviews in an emergency situation.

I would like to add that during my studies at Ryerson I completed four semesters in the criminal justice system. My first was with the Salvation Army correctional service. There I managed a caseload of federal parolees using case management skills, crisis intervention, counselling, problem solving, linking parolees to CORCAN job creation and various programs which help the inmates and offenders back into society.

My second placement was with the Ministry of the Attorney General, the victim witness assistance program, at Scarborough court. There I worked with physically, sexually assaulted women and children, providing counselling, comfort and referrals, accompanying them to court and debriefing them after court, linking these clients to community resources.

I have attended many workshops and have developed extensive skills in leadership, decision-making and problem solving. I work with people of diverse cultural background and adapt readily to the demands of my job.

Since coming to Canada, I have been actively involved, in a quiet way, in some form of community service. Since moving to Scarborough nine years ago, my husband resurrected the Neighbourhood Watch in that community. I have helped him on occasion in walking from door to door handing out flyers regarding police tips for a safer community.

Combined with my education and community service work, I have a broad background and I feel that I am the appropriate person for the job.

**The Chair:** Thank you, Mrs Hudson. We have a couple of minutes left. Any questions?

**Mr Dan Newman (Scarborough Centre):** Thank you and welcome, Sylvia, to the committee today. Metropolitan Toronto is a geographically large and diverse area. Can you tell the committee today whose interests you will be representing on the Police Services Board of Metro?

**Mrs Hudson:** I will be representing the people in the community, and I mean all cultures in my community. I will be working with everyone. I don't want to work with one sector of people, but the entire community.

**Mr Preston:** You have vast experience in volunteer work. My wife is a teacher in a section 27 school and she's a director of a home for teenage offenders. I know that working with the young offenders has certainly enhanced her knowledge of law and order and various procedures. How do you see it affecting yours?

**Mrs Hudson:** That also enhanced my knowledge of the criminal justice system. Working with young offenders gave me the insight into how the criminal justice system works. I understand the young offender's point of view. Also, I understand the victim's. I'm really concerned about the victim at this point in time.

**Mr Carl DeFaria (Mississauga East):** Mrs Hudson, I don't know if you are familiar with the John Brooks Community Foundation and Scholarship Fund in Metro Toronto by any chance —

**Mrs Hudson:** No, I haven't read anything on that.

**Mr DeFaria:** How do you see after-school sports programs impacting on young people in Metro as far as improving their situation and avoiding contact with crime?

**Mrs Hudson:** I think after-school programs, sports activities, for aggression — probably if the kids are aggressive, contact sports could be effective.

**Mr DeFaria:** In your work with young offenders — I practised criminal law for about 18 years and I defended young offenders in court — do you find that often some people are involved in crime because of boredom and not having activities in the community?

**Mrs Hudson:** For some of the kids it could be boredom, and some of them are, I think, basically prone to criminal activities. I can't say for boredom, because I think in our community there are lots of activities to alleviate some of this boredom.

**The Chair:** The time is up, the 10 minutes. Thank you.

**Mr Bartolucci:** Thank you, Mrs Hudson, for appearing before us this morning. Obviously, the Metro police services board is mammoth in size, it's huge. What do you see as the two main areas of concern in your estimation, and what initiatives will you take to impact on those areas in a positive way?

**Mrs Hudson:** I think the main issue on the board now is budgeting, and I can't comment on budgeting until I see what is happening — until I'm on the board and can analyse the budget and see where I can assist in giving



some directions or some information on how we could alleviate the cutback and the strain on the budget.

1020

**Mr Bartolucci:** A second issue? Is there a second issue that —

**Mrs Hudson:** There is a second issue on the board, and for me I think it's the black community. I think my community is really looking at someone to be a voice for them. Quite frankly, I want to work with everyone and not with one specific group. I will look at their needs and bring it forward to the board if I'm selected.

**Mr Bartolucci:** Who approached you to seek this appointment, or was it an initiative you undertook yourself?

**Mrs Hudson:** I undertook an initiative. I wrote my MPP and I explained to my MPP the need to expand my skills in the area. We looked at various situations, and my MPP and I agreed that the police services board would be an excellent idea for me with my skills and I would be an appropriate candidate for that position.

**Mr Bartolucci:** Mrs Hudson, what are your views with regard to community-based policing, and how would you either enhance it or lessen the impact of community-based policing in Toronto?

**Mrs Hudson:** I like community-based policing, and the reason I do like community-based policing is because my husband has been involved with Neighbourhood Watch for many years and I enjoy working alongside with him, protecting our community, and I think each community, if they can do likewise, probably we'll have a safer society.

**Mr Bartolucci:** Do you feel that Metro is doing enough community-based policing or would you like that to be enhanced?

**Mrs Hudson:** I haven't studied in depth to see whether it's enough or where it's at, but I am hoping if I'm selected I will read enough on it and see whether it's enough.

**Mr Bartolucci:** You said you'd like to be a very active voice for the black community, and I commend you for that. Could you relate —

**Mrs Hudson:** Did I say that I want to be an active voice?

**Mr Bartolucci:** Yes.

**Mrs Hudson:** I didn't say that I want to be an active voice; I said I will try to bridge. But I won't be a very active voice, I want to work with everyone.

**Mr Bartolucci:** Great. That leads right into the second part of the question. If I misunderstood you, I apologize definitely. How are you going to bridge that gap? How can community-based policing bridge that gap?

**Mrs Hudson:** You are going into the community, you are meeting people, you are getting to know people, and I'm hoping to do likewise. As a matter of fact, I started calling up a few people in my community to get to know them better and to hear their ideas.

**Mr Bartolucci:** So it's my understanding then — through you, Mr Chair, a final question — that as a police services board member, you want to be very active in each of the communities that you represent and that you want to be a hands-on police services board member?

**Mrs Hudson:** Yes. I want to be effective. I want to hear people's ideas, and I want to be there. I'm hoping

for people to give me their ideas so that we can change the system or make the system better or let the system stay as is.

**Mr Bartolucci:** Thank you very much, Mrs Hudson.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mrs Hudson. Your qualifications seem just excellent, and I'm sure you're going to be just a fine member of the board.

I wanted to ask you though, it's been about a year since the province reduced their social assistance payments by about 22%, and I think we had a number of fears in relation to that, in terms of how difficult it would be to maintain housing for people on social assistance. I think one of the other issues that was of concern was that with lower incomes there'd be a greater desperation in a variety of ways to survive, and I guess I'm wondering, even in terms of the young offenders you've seen, whether or not you have any opinion in terms of the impact that's had, particularly in terms of young people and whether or not that has forced them into more desperate straits which might get them into some kind of trouble?

**Mrs Hudson:** I don't see cutting of social services affecting where I've been working as a volunteer. It's the same system for years, and I don't see any effect of any cuts on social services causing young offenders to be committing crime less or more.

**Mr Gravelle:** Have I got a little more time?

**The Chair:** Yes.

**Mr Gravelle:** Can I ask you also, in terms of the review of policing that's going on across the province, obviously one of the aspects that is being looked at is having sort of alternative forms of revenue for the police forces. I think, again, there can be some concerns about that in terms of that taking the police away from their goals. I know they talk about maintaining core services and non-core services — I just would like to have your opinion on the concept — and literally charging for certain services that now simply have been part of the police activities and what your opinion is on seeking revenue by alternative sources.

**Mrs Hudson:** When I read some of the articles pertaining to alternative funding, I don't think it's appropriate at this point in time to comment on whether charging fees for an alarm system is appropriate or not. I'll have to be on the board to see if these are appropriate things to be done. I can't really comment on that.

**Mr Bruce Crozier (Essex South):** Good morning. Further to Mr Gravelle's question about the effect of reduction in social assistance and its effect on the community and in essence on crime, you said you don't see an effect one way or another. What do you base that opinion on?

**Mrs Hudson:** Because my caseload and what I have been seeing in the office, I haven't seen any difference, and so I'm basing my opinion on what's in my office.

**Mr Crozier:** So it's practical, on-the-street experience?

**Mrs Hudson:** The same old story, so to speak.

**Mr Crozier:** The majority of members are appointed by the province. You'll be a provincial appointment. The majority of the expenses are paid by the municipality. I was on a police services board of a small community. In



fact the size of your police force is about a third of the size of my whole community. How do you feel about the ratio of provincial appointments to local municipal appointments as compared to the ratio of funding? Do you think that municipalities should have more control over the appointments?

**Mrs Hudson:** I think that's provincial legislation based upon the Constitution. I can't say how I feel about that, because I think it's a constitutional matter.

**Mr Crozier:** We are free to give our opinions. Does that mean though — I don't mean to be pressing about it, I'm curious — that you just simply don't have an opinion or that you feel that you —

**Mrs Hudson:** I think I should work within the guidelines of the government, because if it's a constitutional matter whether the provincial government should have a greater say on the police services, then so be it.

**Mr Crozier:** You're correct, it is a matter of legislation, which can be changed of course. I was just curious how you felt about it. Thank you.

**The Chair:** Thank you, Mr Crozier. We'll move on.

**Mr Silipo:** Mrs Hudson, good morning. Could you tell us, please, if you are now or have ever been a member of any political party?

**Mrs Hudson:** No.

**Mr Silipo:** Could you talk to us, please —

**Mrs Hudson:** Excuse me. I want to say that I was a member of a political party about 15 years ago, when I was living in the Rosedale area. I was a cardholder, if that's what you call a member.

**Mr Silipo:** Yes.

**Mrs Hudson:** I am no longer a cardholder of a party.

**Mr Silipo:** You were a member of which political party?

**Mrs Hudson:** The PCs.

**Mr Silipo:** I want to just pursue a couple of the areas that have already been touched on. First, let me just say that my impression from what you've said and your résumé is that you bring a fair amount of expertise in terms of work in this area. I don't know if you'd be the first person who's been a police officer appointed to this board — you certainly would be the only one currently — but also your volunteer work brings an interesting perspective. My impression is that the work you have done has been very much behind the scenes. You're going into a board that, whether we like it or not, is very much in the public limelight for a variety of reasons. I'd just like you to talk a little about that, about your level of comfort going into that.

Obviously, since you're here, you feel you are comfortable with that, but I'd like you to talk about how you see yourself dealing with that. I don't have to tell you that you would be filling a vacancy, a position that was held by someone who, whatever one can say about him, certainly had no hesitation in speaking his mind on various issues, and I say that without passing judgement of any kind on Mr Minors. I think it's a real issue that you're going to have to deal with, that somebody's going to ask you at some point in some way, and I wanted to ask you here.

1030

**Mrs Hudson:** I know it's a challenge, but I'm willing to face a challenge. I'm willing to learn as I go along and

I'm a quick learner. I realize that it will be a challenge and I'm expected to perform. That I'll do. I've done so on many occasions in other jobs and I don't anticipate any really big problems.

**Mr Silipo:** You'll be stepping into what is, in my view, a very political function, small-p political; I'm not talking here about about partisan politics at all. In listening to some of the answers that you've given to some of the questions around funding etc, I want to pursue those. I appreciate that in some areas you may not have enough information on which you can make a decision or take a position, but I also want to suggest that you're not going to have that ability for very long. Your opinion is going to be sought. Your views are going to be sought. You're going to have to take positions.

I just want to hear a little bit more about what you think of, first, the whole general level of funding that exists with police services. We have a government that went into the last election and committed itself to maintaining funding for law enforcement. We have police associations, the provincial one and the Metro one, which you'll be dealing with, that have used words like "betrayal" in describing the actions of Mike Harris and Mr Runciman in cutting funding to police services. As a member of the board, whether you like it or not, you're going to have to take positions on that at some point. I'd like to hear a little more about what you think. Can that action from the government continue as far as you're concerned? Can those cuts continue and we still have a level of police services in Metro Toronto that is adequate?

**Mrs Hudson:** The cuts were necessary. If the government doesn't have any money, then the cuts are necessary. We have to look at means where we can still keep an effective police force. I really can't comment on that until I see areas in the police force where there are duplications or areas where we could cut without damaging the security of society.

**Mr Silipo:** Do you think it's okay for police officers to have to pay a user fee of \$200 when they apply to be considered for a job as a police officer?

**Mrs Hudson:** My opinion? Why not? If you're going to a university, you have to pay a user fee.

**Mr Silipo:** This is not for training; there's another fee for that we could talk about. I'm talking about the processing of a job application. It's different than going to university. When you applied for your current position as the admissions clerk, did you have to pay a fee?

**Mrs Hudson:** No, I didn't have to.

**Mr Silipo:** Do you think that people applying for jobs like police officers should have to pay a fee to have their job application processed?

**Mrs Hudson:** I have to look at the economic climate. We're in a tough economic climate and if these are areas where we can find funding, perhaps a \$200 fee is not a bad idea.

**Mr Silipo:** So you would support user fees as a way to deal with the cuts in police services budgets?

**Mrs Hudson:** I can't at this point in time, but to be realistic, where's the money going to come from? You have look at areas where we can get the money.

**Mr Silipo:** These are issues you're going to be confronted with very quickly if you get appointed to this



position. You may be able to not state an opinion on these things firmly today, but you're not going to have that luxury, I suggest, for very long.

**Mrs Hudson:** I understand that.

**Mr Silipo:** One of the other areas I want to touch on you talked about earlier, ie, the question of not just the black community but the whole issue of relationships between the police in Metropolitan Toronto and a number of the communities, particularly the visible minority communities. I'd like you to talk a little more about what you as a member of the board would do individually and what kinds of things you would urge the board to do to improve the relationship between the police and the various communities. We hear almost daily, unfortunately, of incidents that take place that result in parents of victims or relatives of victims feeling that there is racism within the police services. Leaving aside whether that's true or not, that feeling is there, that sense is there, and I just would like to know what you see as your role as a member of this board in dealing with that issue.

**Mrs Hudson:** I think my role will be listening to the community — my community — and bringing ideas. If training is necessary for police officers, then maybe that would be a suggestion. But my focus really is to bring peace within my community and allow a bridge between the police and my community.

**Mr Silipo:** Do you believe there has been systemic racism in the police services in Metropolitan Toronto?

**Mrs Hudson:** I can't answer that question without knowing. I have never been in the police force, I have never experienced racism from the police, so I can't really answer that question. If I'm selected and sit on the board, then I can look at things that are happening and analyse whether this is true.

**Mr Silipo:** What's your impression, as a member of the public, of the state of relationships and the issue of racism?

**Mrs Hudson:** As I said before, I have never had any problems with police officers, I have never had any dealings where I suspect racism exists, so I can't answer that question. If racism was forced upon me or I was confronted in my years in Canada, then I certainly could answer that question, but I've never had to.

**Mr Silipo:** Do you support or oppose the concept of civilian governance of police in the province, ie, that the governing structure should continue as it is but also that in terms of incidents that occur there ought to continue to be an ability by people outside of the force to review actions that police officers take?

**Mrs Hudson:** Again, I can't answer without knowing the depths and knowing how the civilian board works. I can't answer that question.

**Mr Silipo:** You're going to be going into a situation where you will have to deal with those issues. I wouldn't expect you to have full, fleshed-out positions. I have to tell you I'm a little surprised you don't have some views or some thoughts on those because those are very much some of the issues that are going to be on your plate.

**Mrs Hudson:** There was a review paper recently in June where the government is looking at budgeting. They're looking at the civilian board. Those things are in progress. They are working in progress now and I can't

answer any question regarding that because there is a paper out on what the government is looking at.

**The Chair:** Ms Hudson, the time allotted for your appearance before the committee has been used up. Thank you very much for appearing before the committee today.

**Mrs Hudson:** Thank you for having me.

1040

#### JAMES CLARK

Review of intended appointment, selected by official opposition party: James Clark, intended appointee as member, City of Kingston Police Services Board.

**The Chair:** Welcome to the committee this morning. We appreciate your presence here. If you wish, you can make a few opening remarks and then we'll get on with the interview.

**Mr James Clark:** Thank you very much, Mr Chairman and members of the committee. I understand you have a copy of the brief résumé I submitted for your consideration. I won't take the time to reiterate all of those things you have in front of you. As you can gather from what has been submitted, however, I've been quite active and involved in community service over a number of years.

I have lived in Kingston essentially all of my life. For the past six or seven years, I've been a resident of Pittsburgh township. Pittsburgh township is one of the adjoining municipalities which has entered into a restructuring arrangement or partnership with the municipality of Kingston.

As a lifelong resident of Kingston, I'm certainly familiar with the community. My familiarity, however, with the Kingston police services is somewhat limited. Having submitted my name to the committee for consideration, I wasn't aware of whether it was appropriate at the time to discuss any potential appointment with the police chief or with the chairman of the present Kingston Police Services Board, so at the moment my knowledge of local police services has been rather limited to that which most residents would be familiar with through the news, the media, the press, what have you.

This past week, however, I did have the opportunity to meet with the current chair of the police services board in Kingston. I also had the opportunity to meet with the chief of police. In preparation for this meeting, I have attempted to learn as much as I possibly can about the operation of the Kingston police services in Kingston. I'll be happy to answer any questions you may have to the best of my ability.

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** Good morning, Mr Clark. How does your business background give you an asset to sit on this board?

**Mr Clark:** I've been directly in business for the past 16 years. I've certainly had the opportunity to implement a lot of theoretical things that I might have learned in school and what not in terms of business practices and management practices, so I understand what works in reality and what doesn't work in reality. I certainly understand the whole process of budgeting and reading a financial statement.



In my own work, my brother and I are business partners. We own the company St Lawrence Cruise Lines. I'm particularly involved in marketing, advertising, personnel, media relations and that sort of thing. My brother looks after the operational side. I think a lot of the skills that I've developed in those areas would be beneficial to sitting on the police services committee.

**Mr Preston:** What are the specific concerns regarding policing in your community?

**Mr Clark:** I think the big concern and the big issue really has to do with this new restructuring program that's taking place in Kingston. There has been, as long as I can remember, dating back to the 1970s and I'm sure even before then, a desire of a number of people in that whole area to amalgamate, or for annexation. These were words that people were uncomfortable with. In the past two years the municipalities of Kingston, first of all, and the adjoining municipalities have come together, taken a look at the governance of that area and come to the conclusion that it makes a great deal of sense for them to come together in a new partnership.

When they do that, it raises a whole number of issues. We have a municipal police force in Kingston. Kingston township has contracts with the OPP and the OPP also look after the policing of Pittsburgh township. There is a transition committee which currently exists, consisting of the mayor and the two reeves of the townships, and they will have to deal with a whole host of issues. Obviously, one of the issues that's going to have to be dealt with is the issue of policing for that new community. I think that's one of the major issues.

**Mr Douglas B. Ford (Etobicoke-Humber):** Why do you feel you are qualified to represent your community as a member of the police services board?

**Mr Clark:** I suppose, first of all, because I have a very keen interest in the Kingston community. I've been particularly active for a number of years in the community. The idea of a safe community is one that I cherish a great deal and one that I would like to see preserved.

I have a number of skills that I've developed over the years. I was a teacher at St Lawrence College for 18 years, and I was involved in a number of things. For the first two years while teaching at St Lawrence College, I taught inmates in the penitentiary. I was responsible for the training of faculty members at St Lawrence College. I was responsible for their professional development, for their orientation.

I spent a few years as a coordinator of the correctional worker program. I was involved in setting up group homes and placements for students who were involved in corrections. I'm familiar with that area.

I was also involved in a number of projects related to crime prevention. A colleague and I initiated a program called a detached worker program. It basically was an attempt to identify — I don't like to use the term, but — pre-delinquent youth, youth who were having a number of difficulties and, if they continued, there was a likelihood they might find themselves in trouble. We were, through the school system, able to identify some of those children who were having difficulty. We matched them up with youth workers, with correctional workers and so on, on a one-to-one basis, identified the inappropriate

behaviour, established contracts and tried to eliminate some of that inappropriate behaviour.

The bottom line is that I've been involved in a number of those things, but to add to that, the teaching responsibilities I had at St Lawrence College had to do with a lot of organizational things such as leadership and motivation and decision-making and problem-solving and conflict resolution and those kinds of things. I'd like to think that I have some skill in those areas and I think that would be useful to the police services board.

**Mr Ford:** It sounds like you do have a few skills there.

**The Chair:** Any more questions?

**Mr Bob Wood:** We'll reserve the balance of our time.

**Mr Bartolucci:** Thank you very much for presenting before us this morning. I look at your résumé and I see you're a former alderman of the city of Kingston. How many terms?

**Mr Clark:** Just one term, from 1978 to 1980.

**Mr Bartolucci:** At that time, did you have any interest in serving as a city-council-appointed member?

**Mr Clark:** Had it worked out, I would have been interested, but the way those things were determined, rookie aldermen were not likely to end up on the police commission at the time.

**Mr Bartolucci:** Being a former alderman, I probably know what committee you got on. We won't talk about that here.

In your one term, you probably debated the idea around the council table about the representation proportions on police services boards. Are you in agreement with the way it's designated now, as the three and two?

**Mr Clark:** We didn't debate that at the time and I don't know the answer to that question. I understand that because municipalities essentially pay the shot, they would like to have more representation on the police services board. On the other hand, I also recognize that provincial legislation governs, through the Police Services Act, the activities of the police services board and that the province expects certain standards to be adhered to. At the moment there are some checks and balances in the system the way it exists. Having not sat on the police commission, I don't know the answer to that question. I know it's an issue. I don't have enough information to really give an opinion as to what would be best, but it's obviously something that should be explored.

1050

**Mr Bartolucci:** You said you met with the present chair of the board and the police chief.

**Mr Clark:** Yes.

**Mr Bartolucci:** Are they in favour of your appointment, if it happens? Did you talk to them about that?

**Mr Clark:** That really wasn't discussed. They were very cooperative. I think they're anxious to have the final member of that board. Who that might be, they really haven't said.

**Mr Bartolucci:** Have you known both of them for several years?

**Mr Clark:** I haven't known either of them.

**Mr Bartolucci:** Just one final question: What do you feel about community-based policing in Kingston? Should it be enhanced?



**Mr Clark:** I like the idea of community-based policing. It's hard to get a handle on exactly what community-based policing is, because I think it's unique from community to community. I know that the chief of police is a very strong advocate of community-based policing. We spent some time talking about the kinds of activities that Kingston police are involved in in that regard. I think it adds a whole other dimension, the dimension of prevention of crime, familiarity with the community, being an integral part of the community, and anything you can do in that regard has got to be of benefit to any community, quite frankly.

**Mr Crozier:** Good morning, sir. I see that you were a former commissioner on the St Lawrence Parks Commission. When was that?

**Mr Clark:** Oh, goodness gracious.

**Mr Crozier:** It was that long ago?

**Mr Clark:** I'm not exactly sure, but it would have been around 1983 or 1984, something like that.

**Mr Crozier:** I was curious, because this committee carried out an extensive review of the St Lawrence Parks Commission just a couple of years ago, and the commission was not without some considerable problems. I just wondered where your relationship and serving on that was relative to the —

**Mr Clark:** Actually, the chairman at the time was Jimmy Auld, so it was that long ago.

**Mr Crozier:** Does the fact that there are, what, two federal prisons within the municipal boundary of the city of —

**Mr Clark:** Seven.

**Mr Crozier:** Seven within the larger area. I'm thinking of downtown Kingston. There are that many?

**Mr Clark:** There are that many.

**Mr Crozier:** Does that present any unique problems when it comes to policing in the city of Kingston?

**Mr Clark:** I think it does. I think it puts an extraordinary demand on the Kingston police. Years ago — it's not in my résumé. I have been involved in the penitentiary service. I worked for the penitentiary service very early on, at Millhaven penitentiary. I was involved with the John Howard Society — I am a past president of the John Howard Society — and worked with some parolees.

Years ago, inmates leaving the penitentiaries would go home, back to the communities they originally came from. More recently, there's a tendency for them to stay in the Kingston area. Obviously, we have a disproportionate number of inmates in the Kingston area. It does put an added demand on our police services. It's a concern. It's a concern for the people of the community.

**Mr Crozier:** Having been a past president of the John Howard Society, do you have any comment on, as I perceive it, the move today towards incarceration as opposed to rehabilitation; in other words, lock them up and throw the key away? Are you still involved with the John Howard Society?

**Mr Clark:** No, I'm not, but I'm certainly opposed to that whole concept of lock them up and throw the key away. They're going to get out eventually, and I think the programs that penitentiaries and so on put on are very useful. There are all kinds of rehabilitation programs that are effective and that work well, and I think we should be encouraging those kinds of programs.

**Mr Crozier:** I ask that knowing you won't have any direct control over it as a member of the police services board, but I think your attitude towards it, the advice you can give in the whole area of policing, would be beneficial.

**Mr Silipo:** Mr Clark, good morning. Could you tell us, please, if you are now or ever have been a member of any political party?

**Mr Clark:** I couldn't tell you whether I am at the moment. I have certainly, with the odd exception, always voted Conservative. Whether I am a card-carrying member or not usually depends on whether the constituency has caught up with me to pay my dues, and I'm not sure whether they've caught up with me recently.

**Mr Silipo:** I know that problem.

Let's talk about budgets. You probably know, from discussions you've had, about the level of cuts that have affected the Kingston area in terms of police services budgets: \$1.2 million in cuts this year. What's your sense of how that's going to impact on the level of police services in Kingston and area?

**Mr Clark:** It's a big cut for Kingston. There was a tremendous demand on the municipality of Kingston to produce a zero budget increase this past year. I'm sure, through compromise and negotiation, the Kingston police services board agreed to cut that budget by \$1.2 million.

I understand that the Kingston community is particularly pleased with police services in Kingston, that they're satisfied. A recent poll indicated that 87% of the people in the community are satisfied with police services. I think a cut of that extent will no doubt affect the ability of the police to carry out the kinds of things they should.

The chief of police, in our discussion, is of the opinion that they've been able to manage. I'm also aware that 92% of the budget has to do with the wages and benefits and that there's very little room to cut. I know from talking with the chief that in 1995 they had an agreement to hire eight new constables, and then in 1996 when they did experience the cut of \$1.2 million, through early retirements and that sort of thing they lost seven senior officers, something in the order of 125 years of senior police service. That sort of loss will have an effect, I believe. I don't think the rest is being perceived by the community at this point in time, but that sort of loss is a big loss to the Kingston community.

**Mr Silipo:** And presumably, if there are further cuts, that's going to make the situation not just worse, but untenable.

**Mr Clark:** I don't have enough information to answer that with the kind of knowledge I should have in that area. But you would want to take a very hard look at any further cuts, for sure.

**Mr Silipo:** Are you familiar with the traffic offender program that's been set up in Kingston?

**Mr Clark:** Yes, somewhat.

**Mr Silipo:** You probably know more about it than I do, then, but my understanding is that under this program, speeders are charged \$55 and offered a driving course rather than receiving demerit points and provincial fines. The impact is that the money that flows into that stays with the Kingston police rather than going to the provincial coffers. What's your view of that?



1100

**Mr Clark:** That particular program I think is a good program. I like the concept of the educational component that's associated with it. I think it is an alternative source of funding that works and works well because of the educational component that's associated with it.

**Mr Silipo:** Is the keeping of the money locally a bit of a slap in the face to the provincial level?

**Mr Clark:** That's terrific. As far as the Kingston police services is concerned, it's terrific that they're getting to keep the money.

**Mr Silipo:** I'm sure it is. I gather that this year it will total about \$275,000.

**Mr Clark:** That's what I understand.

**Mr Silipo:** On this whole question, just to go on from there, in terms of where you would draw the line as to of what is appropriate and what isn't appropriate as far as alternative ways of financing police services, obviously there is a very clear direction from this government, I would argue, that that should be the way of the future, and many people have made many salient points in opposition to that. I'd appreciate hearing your thoughts about what is appropriate in terms of either user fees or any other form of generating funds that police services should get into, and when we have crossed the line.

**Mr Clark:** I think it's quite legitimate to ask departments, whatever department it happens to be, to look for creative sources of funding. By the same token, the funding of something like police services, which is based on a fair means of raising taxes — I think taxpayers expect when they pay taxes that they're going to receive certain services. One of the services they expect they will receive as a result of having paid taxes is police services, and I like that concept. But by the same token, to ask departments to look for creative sources of funding, I think they should.

In the case of Kingston, where they have come upon this traffic offender program with the educational component which may reduce traffic offences, I think that's terrific. There may be all kinds other creative opportunities there for alternative sources of funding.

You asked where it crosses the line. I think where some of those things cross the line is when it becomes very commercialized. I know in Kingston also we have the Kiwanis Club, which has donated I have no idea how much money, but they've been very much behind the community volunteer policing of the community. They now have something like 40 volunteers who are out doing foot patrol and vehicle patrol and that sort of thing of the Kingston community, all funded by the Kiwanis Club. That's terrific, in my view.

**Mr Silipo:** How would you describe the level of relationships in Kingston between the police force and the communities, particularly the minority communities? I appreciate that the dynamics in Kingston may not be the same as in an area like Metropolitan Toronto.

**Mr Clark:** As I said earlier, I think there's a high level of satisfaction on the part of the community respect for the Kingston police. In my experience, in all of the years that I've been in Kingston, I think the Kingston police have had a fantastic relationship with the community. You are probably aware that Kingston recently hired

a new police chief. I've had the opportunity not only to sit down and talk with him, but he did provide me with a copy of his résumé and so on. He has an absolutely incredible, interesting background when it comes to equity employment and those kinds of things, so I think we can expect some very good things of him in the future.

**The Chair:** If there are no further questions, Mr Clark, thank you for your appearance before the committee and for your thoughtful responses. We appreciate it.

#### JONAS SHEPHERD

Review of intended appointment, selected by official opposition: Jonas Shepherd, intended appointee as member, Council of the College of Chiropractors of Ontario.

**The Chair:** Mr Shepherd, welcome to the committee this morning. We are glad you're here. If you wish to make a few opening comments, please feel free to do so.

**Rev Jonas Shepherd:** A preacher brings a few notes with him. I was feeling a little, when I was walking into this place, like Daniel must have felt walking into the lions' den. But the lions never offered him coffee when he came in, so I feel a little better.

I came to Canada, as a boy of 14 approaching 15, in 1929 when the Canadian government was bringing boatloads of us from Great Britain and Europe, specifying we must work on farms for at least five years and then we'd be free to stay and become citizens. They made contracts for us with farmers for the tremendous pay of \$10 a month plus room and board, which then we thought wasn't bad at all. But then at the time of the crash, most of the farmers found it almost impossible to even meet the terms of that contract, so I found myself without work in the middle of the crash, working for individual farmers a day at a time, part-time labouring and also working in print shops. In spite of those difficult days, I want to say that Canada's been good to me. I could have done nothing better than apply myself to work my way, even in those years, past the high school level and theological schools to the master's degree level, concluding my schooling at Knox College here in Toronto.

With the outbreak of the Second World War, I served with the Irish Regiment of Canada, Toronto unit, as stretcher-bearer, being honoured by receiving the Military Medal from King George VI in a decorative ceremony at Buckingham Palace on my way home. I thought that was a distinctive honour until I discovered there were 280 other men receiving similar honours at the same parade.

We acquired very little in the way of medical training as far as stretcher-bearers in the field were concerned. When we had a casualty, all we did was stop the bleeding, splint 'em, keep them warm and get them out. On the medical officer's staff, I discovered that Napoleon wasn't telling the truth when he said an army travels on its stomach. I sure discovered that soldiers travelled on their feet. Multiplied problems were experienced then, and now, by the old vets as they get older. I did considerable in the way of amateur massaging of feet, under the very strict observation of a very strict medical officer. He drove me nuts.



Taken again on strength after the war on the now reserve regiment, still the Toronto Irish, I suddenly jumped from the rank of corporal to that of captain. The boys who served with me in the line were quite impressed with my decorations on my shoulder. I never told them I was just a buck private in the chaplaincy, but that was all right.

I've served as pastor in churches in Ontario, Edmonton and Grand Cayman Island. While in the British West Indies I discovered a small army of underprivileged children, severely retarded mentally, disabilities associated with hip problems — we had to teach them how to stand and had a little classroom fixed up with overhead ropes and overhead ladders for them to get walking and so forth — and sight, and almost impossible to stumble away at some reading. In our church we organized this Lighthouse School, which turned out to be a tremendous thing, and has in intervening years, for kids with all sorts of foot problems.

Now that I'm in retirement — my wife doesn't believe that's true — I've been occupied on Mr Jackson's committee of activity with seniors and their problems, mainly occupied with our senior citizens annual seminar. Many of them, I discover, have foot problems. Everybody tells us that we oldsters — now I'm 82 — get soft up here, but I find we get soft at the other end. It's amazing how much this is so. My legs started to go first, gentlemen, and so will yours. Maybe your heads too.

1110

After three years of that seminar committee, I complained that the committee was sending home between 400 and 600 old folk every year full of warnings about cancer and fellows who were operating scams to rob them and everything, and we ought to send them home feeling good instead of sorry for themselves. Well, that meant I was stuck to wind up the presentations. Gentlemen, it's always risky to urge something else on a committee level. You get stuck with a job you didn't expect. Anyway, we've done this for eight years. I even have a sample from one of the speeches if you want it. Nobody will ask me for that.

While I lack expertise in this particular area of feet, I have been for several years a recipient of treatment myself. I believe this will enable me to be of additional service to the particular committee, particularly after occupying myself for about 50 years in the areas of counselling, particularly with problem cases. I can make a contribution here and I would like the privilege of doing so.

**The Chair:** Thank you, Mr Shepherd. Are there any questions?

**Mr Preston:** Well, sir, a very good presentation. I'm very sorry I missed the first part of it, but I'm happy to hear you admit that you don't know anything about your feet; very few people do. But that really doesn't matter in this situation, because you're going to be there to represent the consumer. What do you feel your role should be as a representative of the consumer?

**Mr Shepherd:** I have one basic concern. When I went to one person to assist me doing a job — by the way, I was taking care of a couple of thick toenails for years, but gradually I found they were getting farther away; either that or there was an interruption in the middle and

it was harder to get there. So I did get some professional help and soon discovered that they were able to help me in a wonderful fashion. But the moment that took place, somehow or other word got around in the community and there were at least six professionals, whatever name they used — they were long words that I'd never heard before — who specialized in this. I asked them, "Do you have a sheet of paper or anything?" as far as authority is concerned to exercise this particular what I think is a medical concern. They always gave me an evasive answer.

I think they're coming out of the woods to take care of these needs of these dear old people they're talking about. I think that's an area that absolutely must be looked into.

**Mr Newman:** I just want to begin by thanking Reverend Shepherd for your wise counsel and advice there for the future. My question is, as a member of your community, how do you feel that you'll represent a broad community perspective while serving on the Council of the College of Chiropodists?

**Mr Shepherd:** I think the one issue I mentioned is a vital one, and that would be my number one priority. But there are a lot of people out there my age and older, and even a lot younger, who have a need of this sort of attention who just aren't getting it. Somehow or other we need to get around to these people that there is professional attention for these folk which won't cost them that much.

**Mr Ford:** Mr Shepherd, I have to tell you I had a question here but I just want to thank you for being you, because you're a gentleman I consider has an extensive background in public service and it's just a pleasure having you here and talking to you. I think this feeling, as you can see, generates around this room. I just want to thank you for coming. I have no further questions.

**Mr Shepherd:** Thank you. The lions' den isn't so bad.

**The Chair:** We're only halfway through.

**Mr Ford:** I think he can well handle himself, believe me.

**Mr Bob Wood:** We will reserve the balance of our time.

**Mr Crozier:** Good morning, sir, and welcome. I need your help in this area. What's the difference between a chiropodist and a podiatrist?

**Mr Shepherd:** Am I supposed to know that answer, Mr Chairman?

**Mr Crozier:** No, no.

**Mr Shepherd:** I think the one —

**Mr Crozier:** The point is, sir, I don't know the difference, so —

**Mr Shepherd:** I think the one is authorized to do surgery and the other is not.

**Mr Crozier:** Okay. It's my understanding, and again I need your help, this is a regulated health profession of course, and it has its own college. Are they paid, do you know, by OHIP, by our normal medical services?

**Mr Shepherd:** I've been advised that it's not, but I'm one of those fortunate people who have the benefit of the — I'm a VIP, in case you don't know it, the veterans' independence program. That takes care of everything that OHIP doesn't. That's all I can say about that. I think it should be.



**Mr Crozier:** That was my next question: Do you consider it a serious and widespread enough need that it should be? You've answered that you think it should. Would you then be active in trying to convince the Ministry of Health that this should be covered by OHIP?

**Mr Shepherd:** I'm not sure whether that would be my area of concern, but it certainly would overlap it. What I would do immediately, I can't say.

**Mr Crozier:** Well, you've helped me, anyway, and I appreciate that.

**Mr Gravelle:** Good morning, Rev Shepherd, and welcome. I'm sure you're going to be an excellent addition to this group and I'm sure you'll give them very wise counsel as well. You mentioned in your opening remarks that you were serving on Minister Jackson's committee on seniors' issues.

**Mr Shepherd:** That's right.

**Mr Gravelle:** How did that come about? Were you invited to sit on that? I'm just curious how that came about.

**Mr Shepherd:** I'm not sure. I had a couple of older folk visit me one day — well, those ladies would be insulted if I called them older people — who said they needed help. They wanted to know, was I very busy? Well, of course preachers always shoot a line about how desperately busy they are. But they wanted me to get on this committee. That's just how it happened. Cam Jackson's one man who's done a tremendous amount of work in the area of senior citizens. That is how this came about, I think.

**Mr Gravelle:** I'm curious about some of the things that have gone on on that panel, and it actually ties into a health question. One of the issues I've heard about this past summer has been the addition of user fees to the seniors in terms of the Ontario drug benefit plan. July 15, I believe, was the day it started happening. We had a large number of seniors who were pretty upset and pretty shaken to discover they had to start paying a \$2 user fee or they had to pay the \$100 fee up front, even though some of them were in the wrong income category.

I realize you speak to a lot of seniors' groups. Is that an issue you've heard a lot about in the seniors' community as you've gone around, and was it an issue you discussed on Mr Jackson's panel?

**Mr Shepherd:** Yes, I've found it's a subject everywhere. Even in our particular constituency, some folk are worried. As I said, I'm one of the fortunate ones: This has taken care of me, my Green Shield that is issued to me.

I don't think I'd mind something like \$2 for a visit to a professional office like that. However, that is a problem for a lot of folk on such limited income. I would be interested, though, in associating myself with an appeal for consideration of this particular item. My own member has known that, that I was concerned about it for a long time.

**Mr Gravelle:** We heard from people, many of whom are on a fixed income and low income, and a \$2 fee per prescription was something they found very difficult. The larger problem was that a lot of them were put in the wrong category of income and they were forced to pay \$100 up front even though they shouldn't have. A lot of

them didn't have that level of income, and we were concerned that they weren't able to get the prescriptions they needed. It was a big issue in our riding, and we understand that about 40,000 people across the province were miscategorized, which caused a great many problems. I'm just curious about whether that's been a big issue and how you felt about it.

**Mr Shepherd:** I think a lot has to be put into it, and both sides should be getting their heads together and doing something to alleviate this thing. This is what I've been saying.

1120

**Mr Silipo:** Rev Shepherd, good morning. I was interested very much in your observation about which of our extremities goes first. I suspect there may be a different rule for politicians, though, than the one you describe.

Let me ask you the question I ask all people who come before us. Are you now or have you ever been a member of a political party?

**Mr Shepherd:** Yes.

**Mr Silipo:** Which would that be?

**Mr Shepherd:** I think they would call me a card-carrying member of the Conservative Party.

**Mr Silipo:** Fair enough. You mentioned your work and relationship with Mr Jackson. Was it through Mr Jackson that you became interested in this particular position?

**Mr Shepherd:** I'm not aware, really. I agree that may have been, but somebody from the committee phoned me and informed me that my name had been mentioned. I'm not denying that. It may have been.

**Mr Silipo:** That's fine. You mentioned that one of your first areas in terms of priorities would be to look at the question of — I would use the term "unlicensed practitioners." I don't know if that captures what you were saying. I hope it does. What do you think needs to be done in that area? This is not, as some of my colleagues mentioned earlier, necessarily an area of health care that many of us would put at the top of our list as something that we would know about, and I'm quite prepared to admit my ignorance of a lot of the work that's done in this area. Is there any room, in your view, for people outside the profession to exercise any parts of this work, or would your approach be to say that people who do this work ought to be strictly licensed practitioners?

**Mr Shepherd:** Surely there's a forum where people who do mere massage — as I said, in the army sort of thing. But this certainly wouldn't equip me in any way to do anything else, maybe to try to ease a few aches by loosening up some part of the foot, but anything beyond that should certainly be a licensed practitioner.

**The Chair:** Rev Shepherd, thank you for coming before the committee. We enjoyed your presence here this morning.

**Mr Shepherd:** Can I have another coffee?

**The Chair:** I just tried to get one and there's none left.

That completes the review of intended appointments. We move to the next item on the agenda, which is the issue of concurrences. Shall we deal first with Ms Hudson?

**Mr Preston:** I'll move concurrence.

**Mr Newman:** Can we have a recorded vote?

**The Chair:** Sure.

Mr Preston has moved concurrence in the appointment of Ms Hudson. Any comments? Do you want to reserve your comments?

**Mr Preston:** I'll reserve the comments.

**Mr Silipo:** I just want to say briefly that I will be supporting the appointment of Mrs Hudson, but I also want to put on the record some concerns I have. They're not sufficient for me to vote against the appointment, but I was concerned and I would be remiss if I didn't put on the record what seemed to me to be either a hesitation or not having gotten into some of the issues that, as I pointed out in my questions to her, she will have to deal with. I say this with all due respect to my colleagues, I think as the only member from Metro Toronto here —

**Mr Newman:** There are two others.

**Mr Silipo:** My apologies. I do believe we all understand the dynamics of the police services board in Metro Toronto. I want to wish Ms Hudson well, because I certainly expect that her appointment will carry here today, but I do have some reservations. I hope she uses the energy which she obviously has to address some of those. If she does that, she could become a very useful member of that board.

**The Chair:** Any other comments on Ms Hudson? You wanted a recorded vote?

**Mr Bob Wood:** We do require a recorded vote, Mr Chair.

**Ayes**

Bartolucci, Crozier, DeFaria, Ford, Fox, Gravelle, Bert Johnson, Newman, Preston, Silipo, Bob Wood.

**The Chair:** It's unanimous.

The second intended appointment was Mr Clark to the City of Kingston Police Services Board.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Clark.

**Mr Bartolucci:** A recorded vote, please, Mr Chair. We need that.

**The Chair:** Are there any comments, first of all, on the motion of Mr Wood? If not, are you ready for the question?

**Ayes**

Bartolucci, Crozier, DeFaria, Ford, Fox, Gravelle, Bert Johnson, Newman, Preston, Silipo, Bob Wood.

**The Chair:** That's unanimous agreement.

The final concurrence is for Mr Jonas Shepherd.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Shepherd.

**The Chair:** You've heard the motion. Any comments on it? All those in favour? Opposed? It's carried unanimously.

**Mr Ford:** We don't want to record that one?

**The Chair:** Nobody asked for it. Is there any other business before the committee?

**Mr Bob Wood:** Can we have a brief discussion of the subcommittee after this committee completes?

**The Chair:** Right now. Thank you all very much. We're adjourned.

*The committee adjourned at 1127.*









## CONTENTS

Wednesday 2 October 1996

<b>Election of Vice-Chair</b> .....	A-471
<b>Subcommittee reports</b> .....	A-471
<b>Intended appointments</b> .....	A-471
Mrs Sylvia Hudson .....	A-471
Mr James Clark .....	A-475
Mr Jonas Shepherd .....	A-475

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

- \*Mr Rick Bartolucci (Sudbury L)
- \*Mr Bruce Crozier (Essex South / -Sud L)
- Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
    Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- \*Mr Bert Johnson (Perth PC)
- Mr Peter Kormos (Welland-Thorold ND)
- \*Mr Floyd Laughren (Nickel Belt ND)
- Mr Gary L. Leadston (Kitchener-Wilmot PC)
- \*Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- \*Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

    Mr Carl DeFaria (Mississauga East / -Est PC) for Mr Leadston

**Clerk / Greffier:** Mr Todd Decker

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

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CA20W  
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A-28



A-28

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 9 October 1996

# Journal des débats (Hansard)

Mercredi 9 octobre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Appointments review process  
Intended appointments

Procédé d'examen de nomination  
Nominations prévues



Chair: Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 9 October 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 9 octobre 1996

*The committee met at 1002 in room 228.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** We have first of all the report of the subcommittee on business dated October 1. You have that report before you on the beige paper.

**Mr Bob Wood (London South):** Mr Chair, I'd like to move its adoption.

**The Chair:** There's a motion before the committee. Can we deal with that? You've heard the motion. Are you ready for the question on whether or not to accept the subcommittee report? All those in favour? Opposed? It's carried.

The second item of business is beginning the review of intended appointments.

## APPOINTMENTS REVIEW PROCESS

**Mr Bud Wildman (Algoma):** On a point of order, Mr Chair: I'm visiting the committee, I'm not a member of the committee, but I came because of my role as education and training critic for our caucus. I understood that the committee was going to be considering an appointment to the Education Quality and Accountability Office this morning. As you know, this is an office that has had the support of all three political parties and has been worked on for some time.

Over the last year and a half the chair, Mr Johnston, was working as a volunteer to assist in gearing up this office and getting it going for the Minister of Education and Training, Mr Snobelen, and I understood that Mr Johnston was to appear this morning for the committee to consider his appointment. I wanted to participate in the discussion of Mr Johnston's qualifications and his role in the setting up of the Education Quality and Accountability Office, and I understand that the agenda has been changed. I'd like to know why and when we will be considering Mr Johnston's appointment.

**The Chair:** Just so all members are aware, there was a letter sent October 8, yesterday, to the Clerk of the Assembly from the general manager of the public appointments secretariat, Marilyn Sharma. It reads, "This is to inform you that one item included in the September 12, 1996, memorandum has been withdrawn, and, therefore, should not be considered," and that's the appointment of Richard Johnston to the Education Quality and Accountability Office. That's why he is not appearing before the committee, because his intended appointment has been withdrawn.

**Mr Tony Silipo (Dovercourt):** I'm very troubled by this. I have a number of questions that I'd like to get

some answers to and I'm not sure whether anyone here can answer them. I see the letter that you're referring to that we've received. This whole thing strikes me as somewhat odd. We have a process that we follow, not just as a committee but as a Legislative Assembly, that involves the cabinet making decisions about who its intended appointees are for various bodies. Then that list comes to this committee. It goes to the subcommittee. Through the subcommittee we then decide which, if any, of those intended appointees we wish to review. We made a decision following that process to ask — it was the government caucus, I believe, that made the decision — that Mr Johnston come before the committee, as is their right to do. The day before I gather something happened, and then the day before the committee is to meet we are notified that something has changed here.

I'd just like to get some answers. Perhaps Mr Wood, as the caucus whip, can shed some light on this. I think there are some substantive issues of process, let alone the question of Mr Johnston in terms of his appointment or not to this body, or reappointment in this case. I have some significant questions around how this whole issue developed and I'd like some answers.

**The Chair:** Obviously the Chair cannot provide the answers to you. I know what I saw in the letter. I don't know whether one of the government members wishes to address this issue or not.

**Mr Bob Wood:** The procedure is fairly simple. An order in council is passed, and before that can be submitted to the Lieutenant Governor for signature it has to be submitted to this committee. If it's withdrawn from the committee, it cannot be submitted to the Lieutenant Governor for signature. That's obviously what has happened here.

**Mr Wildman:** That may be what happened, but the question is why.

**Mr Bob Wood:** That's certainly a question you're entitled to ask and I think that should be addressed to the public appointments secretariat.

**Mr Wildman:** Surely, as someone who is not a part of this committee but who has been around this place for some time, it seems to me that it is not the place of the public appointments secretariat to determine what this committee does or does not do and who they should or should not bring before the committee. If the government caucus wished to bring Mr Johnston or anyone else before the committee, or if an opposition caucus wished to do that, on the understanding that the person is to be appointed to a government office, then what happened here? That's what I want to know. You say obviously his order-in-council appointment was not proceeded with. When was this decision made?



**Mr Bob Wood:** What happened was that the rules and standing orders of the House were followed. We have no jurisdiction to review an appointment that's not submitted to us. This appointment was withdrawn and we have no jurisdiction to review it. That's what the standing orders say.

1010

**Mr Silipo:** On the same point, Mr Chair: I beg to differ and I want to just point out to Mr Wood and members of the committee what we have in front of us. These order-in-council appointments come to us, under the normal process, under a covering letter signed by the Premier of the province which says to us, "Attached are the intended order-in-council appointments which received cabinet approval on" whatever the date is. I don't know what the date was here with respect to Mr Johnston, but I'm sure the clerk could give us that information.

The only other thing we have on the record is a letter from Marilyn Sharma, the general manager of the public appointments secretariat. It's interesting that this letter does not indicate that cabinet has reversed that order in council, just that it has been withdrawn. So I beg to differ very strongly with Mr Wood in his assertion that the process has been followed. I have no indication in front of me that the order in council has been revoked, which I suggest is what would have had to happen for us not to be able to proceed to deal with this matter. Otherwise, as a committee we made a decision, and I think it's incumbent upon us to proceed in respecting the process that we have established as a committee and that the rules of the House provide that we follow.

**Mr Bob Wood:** The standing orders are quite clear. The cabinet has no obligation to submit anything to the committee. If they don't submit it to the committee, they can't submit it to the Lieutenant Governor for signature. That's how the system works.

**Mr Silipo:** Mr Chair, maybe you need to rule on this. The process, as I understand it, is that it's not up to cabinet to decide what they submit to the committee; all intended appointees have to be submitted to the committee. The committee then decides which, if any, of those intended appointees it chooses to review.

**The Chair:** Perhaps I can be, I hope, somewhat helpful here. When they talk about the September 12 memorandum, I can only assume they mean the certificate that came from the cabinet, signed by the Premier, dated September 12. What this is indicating is that the certificate has been withdrawn. That's how I would interpret the letter, that the certificate with that name has been withdrawn. Therefore, under the rules it would be, it seems to me, whether we like it or not, inappropriate for him to appear before this committee if there is no certificate, because it's been withdrawn. I think that's what the memo means.

**Mr Bob Wood:** I would support what you just said, Mr Chairman, and add that this is how the system works. If they choose to withdraw it, they can't submit it to the Lieutenant Governor for signature. That's how the system works. You're certainly entitled to your opinion as to whether the standing orders of the House should be revised or they shouldn't, but the standing orders are quite clear, and that's how it works.

**Mr Silipo:** With all due respect, I'm not talking about revising the orders; I'm talking about following the orders.

**Mr Bob Wood:** In that case, the procedure followed has been correct and the Chair is quite right.

**Mr Silipo:** I'm not questioning the ruling of the Chair; I am simply trying to understand how it is that a simple letter from the general manager of the public appointments secretariat can replace a cabinet order in council. If that letter were to say that the cabinet has reversed its earlier decision, I wouldn't agree with the decision, but I could understand the orders and the processes having been followed. In this case, I suggest that there is certainly at least some ambiguity, if not some outright confusion, about whether this letter that we've received from Marilyn Sharma clearly indicates — I don't think it does — that the cabinet has reversed its decision. If that's what has happened, then I'd like to know that. I'd obviously like to know the reasons why that happened, but that's, as I say, another set of discussions. Is Mr Wood saying that cabinet reversed the decision to appoint Mr Johnston? Is that how he's interpreting this letter?

**Mr Bob Wood:** I'm interpreting the letter to mean exactly what it says. The cabinet has no obligation to submit these to the committee, but if they don't submit them to the committee they can't submit them to the Lieutenant Governor for signature. That's how the standing order is drawn.

**Mr Silipo:** With all due respect, I've sat around the cabinet table. I know that you can't undo a decision of cabinet without a further decision of cabinet. You can't just have somebody else outside of cabinet decide that a decision that's been made, especially an order in council — I mean, there is a legal meaning to that term and you can't just have somebody else decide that they're going to withdraw something that's been a decision made by cabinet unless that goes back to cabinet and cabinet says, "Yes, upon reflection, for whatever reasons, we want to undo that decision and make another decision." That's the point I'm making.

If you're not able to tell me that cabinet reversed itself on this, then I would like to get some further clarification. I would like to ask that someone, whether it's Marilyn Sharma or somebody from Cabinet Office or the minister responsible, somebody, appear before the committee and explain to us what's going on here.

**The Chair:** I don't want to get into the debate myself, but I do have something further to say. But Mr Wildman was next on the list and then Mr Preston.

**Mr Wildman:** As I understand it, the certificate that was considered by the committee included Mr Johnston. Is that correct?

**The Chair:** I'm sorry, were you talking to me?

**Mr Wildman:** Yes. When the committee was considering which appointments would be considered, you had a certificate that said Mr Johnston was going to be appointed.

**The Chair:** Correct, but here's what I was going to say; maybe I'll say it now. We did not have an order in council, we had a certificate. So we need to be clear. It's my understanding that there's a difference between an order in council and a certificate.



**Mr Wildman:** Exactly. That's what I —

**The Chair:** What we had before us was a certificate for an intended appointment; then presumably the order in council would follow the certificate when it went through the committee. It seems to me that would be the logical way with which it would proceed.

**Mr Wildman:** The certificate is in essence an indication of an intended order in council being passed by cabinet.

**The Chair:** I suppose that's what —

**Mr Bob Wood:** I don't think that's correct.

*Interjections.*

**The Chair:** Order, please.

**Mr Wildman:** I have before me a memorandum from the Premier dated October 3, which says:

"Re: Order-in-council appointments

"I am attaching information on intended order-in-council appointments to agencies, boards and commissions, which received cabinet approval on October 2.

"Yours sincerely,

"Michael D. Harris, MPP"

*Interjections.*

**The Chair:** Order, please. Let Mr Wildman finish.

**Mr Wildman:** So we have before us a letter from the Premier, signed by his own hand, which says there was an intended order-in-council appointment which received approval of cabinet on October 2.

Now, we also have before us a letter or a memo signed by Marilyn Sharma, the general manager of public appointments secretariat, which says:

"This is to inform you that one item included in the September 12, 1996, memorandum" — that's a memorandum from her, I suspect — "has been withdrawn, and, therefore, should not be considered."

Now, what we are attempting to find out here is what happened between October 3 —

*Interjection.*

**Mr Wildman:** Oh, this is a different one. Okay.

**The Chair:** I don't think, Mr Wildman, that the September 12 memorandum would have been signed by her.

**Mr Silipo:** No. I think that would have been signed by the Premier.

**Mr Wildman:** Oh, it was signed by the Premier. Okay. Good. So I had the wrong date.

So the Premier signed a memo on September 12 for an intended order in council to be passed by cabinet, based on a decision of cabinet —

**The Chair:** And that's what leads to the certificate.

**Mr Wildman:** Yes, and we now have a letter from the public appointments secretariat manager saying it's been withdrawn. Now, it would seem very odd to me that anyone would suggest that Ms Sharma would overrule Mr Harris, so if she is sending such a memo it must be based on some decision of cabinet. My question then is, when was the decision of cabinet taken to overrule the previous decision? Did cabinet meet yesterday and decide to withdraw the intended order in council, the certificate? If cabinet did meet yesterday and that's what happened, then Mr Wood is quite right.

**Mr Silipo:** Mr Chair, that really is —

**The Chair:** I'm sorry. I want to stick to the speaking list. It's not fair — are you finished?

**Mr Wildman:** I'll just finish off by saying if cabinet met yesterday and withdrew the decision or reversed its previous decision, Mr Wood is correct. If, however, cabinet has not yet met but we just have this memorandum from Ms Sharma, then the process has not been followed properly and we should get an explanation.

**The Chair:** I have Mr Preston and Mr Leadston on this.

**Mr Peter L. Preston (Brant-Haldimand):** Basically the same question: Who does have authority to withdraw the certificate?

**The Chair:** The certificate is signed by the Premier, so presumably he would have the authority to withdraw what he had signed. It's not the equivalent of a cabinet order in council, but it's an intended appointment by cabinet which the Premier signs. That becomes a certificate which then gets forwarded to us.

1020

**Mr Preston:** I would think the general manager of public appointments secretariat would not do this on her own. I would think it would be with some kind of direction. So whoever withdrew it, withdrew it with permission of the endorsee. What's the problem?

**Mr Wildman:** We just want to know who.

**Mr Bruce Crozier (Essex South):** And how and why.

**Mr Gary L. Leadston (Kitchener-Wilmot):** Mr Chairman, procedurally, I think it's very — I'm not trying to stymie the conversation or their purpose, but my sense is that out of courtesy to the gentleman who is here and the other appointee, could we not continue with the interview with the appointees, then obviously have a follow-up discussion with the points raised by the members opposite?

**Mr Wildman:** What about courtesy to Mr Johnston?

**Mr Leadston:** Well, Mr Johnston's not here.

**Mr Wildman:** For obvious reasons.

**Mr Leadston:** These individuals are here. I think it's quite a discourteous affront to the appointees who are here, anxiously awaiting to be interviewed. I'm not saying that we know — I don't want to hear them continue this discussion, no.

**Mr Wildman:** With respect, Mr Chair, I believe this memorandum to be a discourtesy to this committee.

**Mr Leadston:** I believe we've had others.

**The Chair:** Are there any other speakers on this point of order that's been raised?

**Mr Silipo:** Yes, Mr Chair, I want to correct myself because it's obvious that when I was saying earlier that there had been an order in council, that isn't correct and so I just want to be clear. But I think the point that I was making still holds, which is that the Premier does not sign that letter and attach those intended orders in council without a cabinet decision. So the essence of the argument that I'm making and Mr Wildman is making is still there, which is that the decisions were made by cabinet to intend to appoint these individuals. I think I need to see something that tells me that cabinet has reversed that decision as it applies to Mr Johnston. I think one can assume perhaps that Miss Sharma would not write the



latter unless that had happened, but I quite frankly want to see something that compares to what we get originally.

I think it's important that the committee's process be respected because this is not a case where, before the committee dealt with this issue in terms of whether to review Mr Johnston's intended appointment or not, there had been a change in cabinet decision. This happened after. This happened in fact on the eve of the committee doing its part in the process.

I think that out of respect to the committee, there should be some clarification as to what happened here. I would like at some point, when you're willing to accept it — and this may also answer Mr Preston's concern, because I don't want to hold people up either — but I think it's important that we get some answers and so I would be prepared to move and would like to move that we ask the appropriate officials or ministers to appear before the committee and to explain what's happened in this instance.

**Mr Bert Johnson (Perth):** On a point of order, Mr Chairman: I don't think it's permissible to make a motion when you're on a point of order.

**The Chair:** In order or out of order, may I make a suggestion to the committee? Why don't we have the clerk of the committee write a letter from the committee asking for an explanation of the events that took place that led to the withdrawal of the certificate? This letter is on the Office of the Premier's letterhead, so I think it's fairly clear where it came from. But if that would help the committee, we could write a letter, presumably to the Premier, asking for an explanation for the withdrawal of the certificate.

**Mr Silipo:** If that's acceptable to members of the committee, that would be fine.

**Mr Bob Wood:** No, that's not acceptable. The rules have been followed. It may be that some have a different interpretation of the rules and they're certainly entitled to that. It's certainly open to any member to ask whatever they want of the Premier's office, but it's quite obvious the rules have been followed. I think anyone who takes an objective look at the rules will see they have been followed. You pass the order in council. The Premier's office then decides whether or not to submit it to the committee. They don't have to submit it to the committee. But if they do not —

**Mr Silipo:** That's not true. They have no choice about when to submit it to the committee.

**Mr Bob Wood:** Yes, they do.

**Mr Silipo:** Go read the rules.

**Mr Bob Wood:** I have. That's what I'm inviting you to do. If they choose not to submit it to the committee, they can't submit the name to the Lieutenant Governor.

**Mr Silipo:** They have no choice but to submit it to the committee.

**The Chair:** Order, please. You're saying the same thing because if the name doesn't come to the committee, it doesn't go any further.

**Mr Silipo:** Exactly. So what's the point, then?

**Mr Bob Wood:** Their point is, they can submit this to the committee if they wish to and they can withdraw it if they wish to and as soon as they withdraw it —

**Mr Silipo:** Mr Wood, the Chair has made what I think is a sensible suggestion. If you want to block that, you'll pay the price for that.

**Mr Bob Wood:** We will do precisely that.

**Mr Silipo:** I will put my motion at some point.

**The Chair:** Okay. Let's hear from Mr Crozier.

**Mr Crozier:** I've been listening to this with great interest and I just wanted to add my observations, and that is that I would feel more comfortable if, having received a memorandum signed by the Premier, then subsequently having received a letter, albeit it came on the Premier's office's letterhead — we all know of occasions throughout just even a short history where letters are written by staff that eventually we find aren't authorized by the person on whose behalf they're being written. Therefore, I would feel much more comfortable and I can't imagine why this committee would not ask the Premier to answer over his own signature. I would feel more comfortable if, having first received it from the Premier, we get an answer from the Premier.

I suspect, and this is only a gut feeling from listening to the conversation, that the government is not forthcoming with the reasons behind this withdrawal. If they're legitimate reasons, I cannot imagine why Mr Wood on the government's behalf or the Premier wouldn't be willing to outline those reasons so that we all could feel we had been well-informed.

**The Chair:** Since there's no motion, I don't think, before the committee as I speak, unless there is one put, then we'll move on to the next order of business.

**Mr Silipo:** I want to move, then, Mr Chair, if I may, that the committee request that either the appropriate officials from Cabinet Office or ministers appear before the committee to explain the circumstances around the withdrawal of Mr Johnston's intended appointment.

**The Chair:** I have a little trouble putting that together in my head. This would be a request to whom?

**Mr Silipo:** To the Premier. I say either cabinet officials or the appropriate minister. I guess the minister would be the Minister of Education and/or the Premier, because depending on what the answer is, they could decide who the appropriate person would be. But it seems to me that there have been — I have still some very serious questions about this. I'm very troubled by the attitude that Mr Wood has taken on this. I thought your suggestion was a useful way to deal with it but since he's chosen otherwise, I'll put the motion.

**The Chair:** You've heard the motion and Mr Silipo has spoken to it. Is there any further debate on Mr Silipo's motion?

**Mr Wildman:** I would just add that I don't see why the committee would not want to get an explanation if there's one forthcoming. To invite the principals involved to make an explanation doesn't sound unreasonable. After all, information is power. Why would members of the committee vote against receiving information and explanation?

**The Chair:** Any further debate?

**Mr Bob Wood:** I certainly have no objection to individual members requesting information. On the government side, we see a simple thing as being simple. They've withdrawn the certificate, they can't proceed to



submit this to the Lieutenant Governor. If they decide later they want to, they have to submit the certificate again to the committee. It's that straightforward. We don't need more information. If others do, I would invite them to make the request directly from whomever they want.

**Mr Rick Bartolucci (Sudbury):** Just maybe a question through you to Mr Wood. Does Mr Wood know the reason why it's been withdrawn?

**Mr Bob Wood:** I don't think it's my function to offer comment on that. That should be directed to the Cabinet Office.

**Mr Bartolucci:** But I'm asking you directly. Do you know the reason why?

**Mr Bob Wood:** I've already shared with you the fact that I'm not going to comment to the committee on that.

**Mr Bartolucci:** So I take that as a yes, I know why but I'm not going to share it with you. I find this very, very troubling, then. I find the whole process very troubling and I find then every appointee who comes before us to be very troubling because if you're not willing to share information which may in fact support your position by other members of the committee, then I find the process to be very wrong. I would suggest that it's very important that this motion then carry because we have to add credibility not only to the committee and to the committee members, but also to the good people like Mr Gordon here who come before us. I think their credibility is at stake. Every, every intended appointee's credibility is at stake if, in fact, this committee doesn't find out that information.

**The Chair:** Is the committee ready for the question? You've heard Mr Silipo's motion. All those in favour of Mr Silipo's motion, please indicate. Mr Silipo's eligible to vote, as are the two Liberal members. Those opposed? The motion is defeated.

Can we move on to the next order of business.

1030

## INTENDED APPOINTMENTS

### DONALD H. GORDON

Review of intended appointment, selected by the official opposition: Donald H. Gordon, intended appointee as part-time member, Hospital Appeal Board.

**The Chair:** Mr Gordon, we welcome you to the committee. I would apologize for the delay. On the other hand, perhaps it's entertaining to see politics at work in the committee on government appointments.

We welcome you here and it's traditional that you be given an opportunity to say a few opening remarks if you wish, and then we move to the government members and the two opposition parties to ask you any questions they might want to put to you. So we welcome you here to the committee.

**Mr Donald H. Gordon:** Thank you, Mr Chairman, members of the committee. I understand that the committee has received a copy of my résumé, so I'm not going to — I'll spare you the gruelling details on that one. I will try to be very short and to the point, which I must admit for someone who's been trained as a lawyer and

usually is accustomed to being paid by the word is a very difficult thing to do.

I would add perhaps just one thing to the résumé you have I believe in front of you, and that is that for the past six months I have been acting as the president and chief executive officer of the Etobicoke General Hospital. That position I have held between CEOs. We were in a search for our CEO and I was on the board, so I have held that position that time.

As the committee's aware, the Hospital Appeal Board deals with issues of revocation, suspension and modification of the privileges granted to physicians by hospitals and hospital boards. If I could, I'd like to speak to my qualifications to sit on this board, my reasons for accepting the appointment and the contribution I think I can make.

First of all, I think I have three primary qualifications. I have a legal education, graduating from Queen's as the gold medalist in 1965. I did practise law for a period of eight years with the firm of Ivey and Dowler in London. So I do have that by way of legal background. I did see the light, however, and went into private business subsequent to that eight years of practice.

Additionally, I have a hospital background. I have been on hospital boards now for a period exceeding 10 years, three of those on the Victoria Hospital board in London, Ontario, and the balance on the Etobicoke General board here in Toronto. As I say, in the past six months I have in fact been the acting president and CEO of the Etobicoke General Hospital.

Thirdly, I have a very interesting background by way of my relationship with the physicians in Ontario, both personally and professionally. From a personal point of view, I seem to have been born into a family of doctors. My brother's a doctor, my sister's a doctor, my brother-in-law is a doctor, my daughter-in-law is a doctor, my daughter's a doctor and her husband's a doctor. So, aside from that, you can imagine what a normal —

**The Chair:** Be never lacking for a second opinion.

**Mr Gordon:** Exactly. You imagine dinner conversation around the table at the Gordon household.

**Mr Ed Doyle (Wentworth East):** Who do you go to when you're sick?

**Mr Gordon:** None of the above. From a professional point of view, I have a very close relationship with the Canadian Medical Association by virtue of the fact that I do sit on the board of a company called MD Management. MD Management is the for-profit subsidiary of the Canadian Medical Association that manages all of the doctors' pension funds and related financial issues. As a matter of fact, next week I will be at a three-day orientation session for the CMA board members, which is a joint orientation session for CMA and MD Management.

In terms of the reasons for accepting, I guess you can tell by my background that I have had, over a long period of time, a significant interest in the health care system. I've now been semi-retired for two years and I guess what I find is that I have time to commit now to things I find of interest and that I can do because I enjoy doing them, rather than having to do them. This is something I think I would put in that category.

In terms of contribution, just by way of summary, I think professional training would give me an opportunity



to bring something to this board. There are a lot of procedural issues that this board deals with, as well as matters of law and matters of fact. I also bring, as I've noted, a very balanced, I think, understanding of the perspective and interests of all parties to issues before this board.

Those are my comments, Mr Vice-Chair, and I'd be pleased to answer any questions.

**The Vice-Chair (Mr Tony Silipo):** Thank you, Mr Gordon. We start with the government side. Questions?

**Mr Douglas B. Ford (Etobicoke-Humber):** Mr Gordon, in your opinion, do you foresee a problem with the changes in Bill 26 and the right to appeal a decision for reason of hospital closure or specialty changes at the hospital?

**Mr Gordon:** I don't believe so. If we look at the Hospital Appeal Board and the whole process in the hospital act, it's dealing with questions of where physicians can practise, not whether they can practise. I think when we take the steps to reduce the number of hospitals we have, which I personally believe is something we must do, we are not at the same time saying we are going to reduce the number of patients or the number of cases. So what we're looking at there is we are looking at physicians becoming attached to different hospitals.

By way of example, at Etobicoke we are contemplating that when the restructuring commission issues its directives for Toronto, we may in fact see an increase in our obstetrical cases. We currently birth about 2,600 babies a year. That could go up to 3,500, depending on what decisions are made, because we're not going to stop the number of babies who are born. If we go to 3,500 babies, we then have to take on staff a significant number of new obstetricians, and those obstetricians will obviously come from the pool of obstetricians currently existing, so that they will just move their allegiances from hospital A to hospital B. So I don't really see any problems with the way Bill 26 is structured.

**Mr Ford:** You're well aware that working at these hospitals — it's not a right of doctors to work at any hospital they want; it's a privilege.

**Mr Gordon:** Yes, that's what the legislation says.

**The Vice-Chair:** Other questions?

**Mr Bob Wood:** We'll reserve the balance of our time.

**The Vice-Chair:** We'll move to the Liberal caucus.

**Mr Bartolucci:** Welcome, Mr Gordon. You touch a nerve, and it's a sensitive one, when you say hospitals have to close, but we're not here to discuss that today and I don't plan on discussing it with you. It's a fight I'll have with the government and continue to have with the government with regard to restructuring services.

There is another problem; it's a problem you're going to have to be faced with, especially on this appeals board. You have the power, as an appeals board, to revoke a physician's hospital privileges. What's your feeling with regard to physicians giving up their hospital privileges en masse? I guess I'm asking for your opinion in this instance.

**Mr Gordon:** That's going to be a very difficult issue, and I take it you're alluding to the potential or threatened job action. It's something I think all boards and CEOs of

hospitals are going to have great difficulty with, because in effect, we do credential and grant privileges to physicians on certain understandings. Those understandings involve the fact that they will cover our emergency, they will take on-call, they will have CMPA insurance coverage. If they then advise us that they will not comply with those conditions of credentialing, the boards are going to have a very difficult time with that one, because in effect, I think the board should be withdrawing privileges, although I don't think that would be a sensible thing for the boards to do. Once privileges are withdrawn, as you know, they must be reapplied for.

**1040**

I would hope that particular job action would not be of such an extent that, knowing the procedures one must go through to get to the Hospital Appeal Board, in effect we would see any of those issues coming to the Hospital Appeal Board, because I may well be dead by the time they got there.

**Mr Bartolucci:** That's very true. Would you consider a doctor who gives up his hospital privileges or won't exercise his hospital privileges as that being a job action on the part of that doctor?

**Mr Gordon:** I guess it would depend on the context, really, because there are a number of physicians, paediatricians in particular, who have no hospital practices whatsoever. They practise 100% from their offices, and if a physician determines that he would prefer an office practice to a hospital practice, then I don't see how one can say he's given up his privileges.

**Mr Bartolucci:** I'm talking, though, about groups of physicians who have hospital privileges who decide because of whatever reason — it may be the cap, it may be a variety of reasons — that they're going to give up those hospital privileges. Would you consider that a job action, then?

**Mr Gordon:** Yes, I would. Certainly, from the hospital's perspective it is a job action. It would render our ability to provide urgent and emergent care almost impossible.

**Mr Bartolucci:** You're not entering an easy field at this time. Good luck.

**The Vice-Chair:** Are there any further questions? Government caucus, any further questions?

**Mr Bob Wood:** We will waive the balance of our time.

**The Vice-Chair:** I think the same can go obviously for the third party. I think, Mr Gordon, that concludes your appearance before the committee. Thank you very much.

PAUL BEAUDRY

Review of intended appointment, selected by the third party: Paul Beaudry, intended appointee as member, Ottawa-Carleton Regional District Health Council.

**The Vice-Chair:** We move next to Mr Paul Beaudry, intended appointee as a member of the Ottawa-Carleton Regional District Health Council. Mr Beaudry, welcome to the committee. As you may know, we certainly would welcome if you have any opening comments to make and give you that opportunity, if you so wish.



**Mr Paul Beaudry:** As an opening statement, what I would like to do is give you an executive summary of my résumé. I believe it has been forwarded to the members of this committee.

I'm a bilingual graduate from Concordia University in 1975 in political science. Until 1986, I worked for a large multinational and national corporation in the field of human resources and especially industrial relations and labour relations management. In early 1987, I started consulting to businesses in eastern Ontario in the field of human resources, industrial relations, labour relations and organizational restructuring. I am still doing this as of today. Also, last year I had the pleasure of starting a new company based in Ottawa-Carleton in the field of management information videos and management training.

I've also had the pleasure and the honour of serving my community since 1987 through the Ottawa-Carleton Board of Trade as its provincial affairs chair, the Family Service Centre of Ottawa-Carleton as the vice-president of the board, the Algonquin College advisory committee on management studies as the chair and am presently the president of the West Carleton District Chamber of Commerce — this is my second term — and I've also had the pleasure of serving on various select committees for the township on issues of economic development.

My 21 years, in summary, have been dealing with human resources issues for my clients, either in private businesses and I've had the pleasure of serving public organizations and not-for-profit organizations, so a variety of manufacturing and service organizations, looking at issues, like any other organization, of restructuring, management training, labour relations and industrial relations. That certainly is my interest with regard to the district health council, bringing in that expertise that I've gathered for the last 21 years and offering that service to my community.

Those, Mr Vice-Chair, are my comments.

**The Vice-Chair:** Thank you, Mr Beaudry. The government side to begin the questions.

**Mr Ford:** Good morning and welcome. Mr Beaudry, are you familiar with the health services reconfiguration project? A second report submitted recommends the closure of some hospitals. Since 1990, more than 500 hospital beds have been closed in the Ottawa-Carleton hospital sector, yet not one hospital has closed. Wouldn't it be in the best interests of the community and efficiency to perhaps look at the second report and consider hospital closure? In other words, if you have three or four hospitals and you have a couple of floors closed in each hospital, wouldn't it be more efficient to close one of those hospitals and also project down the road that with those moneys that are saved doing that, you could buy updated equipment and keep a high efficiency there?

**Mr Beaudry:** That is basically, I guess, the chief reason for my interest in sitting on the district health council. When I first heard of the initial report, I was extremely disappointed. I was having a conversation with a member of this council that in fact the council had spent two years and something like \$2 million and had not achieved the objective that was set for this organization.

Certainly it is my understanding that we have a great number of hospitals working at half levels of complements because of the last 10 and 15 years of hospital cutbacks, and it concerns me that we're spending money to continue to operate a facility at the detriment of supporting the professionals that we should be looking at. I guess my biggest concern is that so far the district health council has put more value on the buildings rather than on the people who are delivering the services. I guess that's the direction that I would like to do, to go in and put more emphasis on the people rather than on the buildings.

**Mr Ford:** That's a good observation there, because I know that when you run hospitals you have peer group pressure from other hospitals. When you have MRIs and CAT scanners and other equipment, everybody seems to want the same measure handed out. If you have several hospitals that are probably working at 60% or 70% capacity, it seems ridiculous to have them running at that when you can update the other hospitals and bring them right up to a world standard. Thank you for your answer, sir.

**The Vice-Chair:** Other questions?

**Mr Doyle:** Mr Beaudry, welcome to our committee today. You sound very well versed on the whole district health council situation in Ottawa. There was an amalgamation proposal there. I wonder if you have anything you can offer as far as the amalgamation proposal is concerned to the health council.

**Mr Beaudry:** At the present I'm a mere consumer of the community and I've received the information through the news media, which at most times is less than accurate. I would prefer to go in and have a look at exactly what the report entails, the report itself, to see exactly what methodology they used to arrive at the various findings, and at that point I'll have a better idea. But I am concerned that there's a great schism right now that exists at the council, and hopefully that's part of my background in labour relations, to help rebuild that unity in that council.

**Mr Doyle:** I appreciate it. Thank you.

**The Vice-Chair:** Further questions from the government caucus?

**Mr Bob Wood:** We'll reserve the balance of our time.

**The Vice-Chair:** We'll move to the Liberal caucus.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mr Beaudry. Did you apply for the position in terms of the health council? I'm not sure about how you came about being a nominee for the position.

**Mr Beaudry:** What happened is that at one of the chamber meetings that I preside, Beth Sweetnam — who is a member of council and who I understand as well is the chair of the nominating committee — and I had a rather heated discussion with regard to the content of the report. At that point she asked me if I would be interested in sitting on council and I indicated that, yes, I would. So I guess there was an application. I basically said, "I think you need some professional help and I'm prepared to offer that professional help."

1050

**Mr Gravelle:** Certainly you're going to be going in at a very interesting and controversial time. I wouldn't mind



having your opinion, just in a general sense, on the whole restructuring commission concept that the government put forward in Bill 26. Do you support the need for a Health Services Restructuring Commission in the province or do you feel that a lot of the solutions can be found without this rather draconian kind of commission being brought in which basically is in many ways taking it out of the hands of local people who might feel they can make better decisions? In other words, a group coming in from out of town saying, "We've got the answers." I'm just curious as to your thoughts on the restructuring commission itself.

**Mr Beaudry:** Mr Gravelle, I think what convinced me that the whole delivery service of medical services is really needed was when I heard the story about two or three months ago when a woman in Scarborough had to go to Kingston to be hospitalized to deliver her children.

**Mr Dan Newman (Scarborough Centre):** It wasn't Scarborough.

**Mr Beaudry:** It wasn't Scarborough? It was in Toronto?

**Mr Newman:** I can assure you it was not Scarborough.

**Mr Beaudry:** Well, it was around Toronto. There were a couple of other stories where ambulance drivers have had to drive around to the hospitals in order to find a bed or a place for one of the patients. To me, that is indicative that there's something wrong with the way we deliver medical services, certainly in Ottawa-Carleton.

With regard to the restructuring committee, I presume they are there to make sure that the government wishes are applied. I did say to Beth Sweetnam, however, that I was disappointed that our district health council did not seek the opportunity to develop a made-in-Ottawa-Carleton solution. I don't know if it's too late, and I would certainly continue that direction, to work with council to still develop a made-in-Ottawa-Carleton solution in that area.

**Mr Gravelle:** Are you saying that you think the restructuring commission therefore is a necessary thing, to have a commission of this type set up?

**Mr Beaudry:** Something has to be set up, Mr Gravelle, in order to have a look at the way the delivery of medical services is done. At present, I'm not in the position to say if that's the better way or not the better way. Certainly the government has come in, obviously, and decided on its mandate to restructure medical services, and they have decided on that process.

**Mr Gravelle:** I think probably all of us in all three parties would agree that there is a need for a restructuring of the system, a need for more efficiency. All three parties have been involved with that. I think it's been the method by which it's been brought forward and the fact that I think it's generally conceded, even though it's been denied recently by the government, that quite frankly there is a need to find \$5 billion down the line for the money for the tax cut. It's being motivated by the need to find that money.

It seems to be sort of a backwards way of trying to get through a restructuring process, because obviously the restructuring commission is a far more aggressive process than going to hospitals and simply cutting back. The \$1.3

billion that's coming out of hospitals we're not sure is working.

I'm just curious as to your opinions on it. I know that obviously in the Ottawa-Carleton region it's become extremely sensitive because of the difficulty with the DHC or the confusion that arose from the DHC and the six members. In essence, I'm asking you a political question and do want your opinion on it in terms of the method by which this government has decided to go forward and do this.

**Mr Beaudry:** I can only say that obviously from a management point of view we've been talking in the province about the delivery of medical services for a very long time. Not much, I guess, has been done. There's been a very traditional approach, and a very regrettable approach, of just cutting beds rather than having a really true opportunity of re-engineering the medical services. I presume the government has decided to ensure that there is an organism or a process to ensure that this restructuring goes on.

I firmly believe, and I've always believed, that localities are better at finding their own solutions. I'm still going to be working with this, if I'm appointed to the district health council, to find a made-in-Ottawa-Carleton solution. But ultimately because of political agendas and everything, if the organizations cannot make a decision, someone ultimately has got to make a decision. I presume that's the reason the government created this commission.

**Mr Gravelle:** Just for your interest, I come from a community, Thunder Bay, that just recently had a decision from the restructuring commission, and obviously we're pretty shaken by it in terms of the decision. We're going to lose half of our acute care beds. Basically, three of our five hospitals are going to be forced to close. We are absolutely convinced there was a better way to do this than what's happening and we intend to fight it.

I wish you the best of luck in your new position.

**The Vice-Chair:** We have no questions from the third party. Are there any further questions from the government caucus?

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** I just have one. Being that the opposition party is not here and the question is usually asked, are you a member of any political party, a card-carrying member?

**Mr Beaudry:** Yes, I am, Mr Fox.

**Mr Fox:** Thank you.

**The Vice-Chair:** You don't want to ask him which party?

**Mr Fox:** No, it's not important.

**The Vice-Chair:** I just thought since you were interested in the first, you might be interested in the second.

**Mr Gravelle:** I'm sorry, Tony. I should have asked it before.

**The Vice-Chair:** That's fine. You still have time, actually. You can still ask it.

**Mr Gravelle:** I thought you wanted to switch chairs.

**The Vice-Chair:** The fun of that, Mr Beaudry, just so you know, is that I've been asking a bit of a standard question when I've had the chance to in terms of whether people appearing before us are members of any political party and have been finding an interesting pattern to that.

But we'll leave that to be picked up in further questioning.

That concludes then, Mr Beaudry, our business with you in front of the committee. Thank you for appearing, sir.

We can move now to motions.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Gordon.

**The Vice-Chair:** Mr Wood has moved concurrence with the intended appointment of Mr Gordon. Any

discussion on that? All those in favour? It's carried unanimously.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Beaudry.

**The Vice-Chair:** Mr Wood has moved concurrence with the appointment of Mr Beaudry. Any discussion? All those in favour? It's carried unanimously.

There being no further business before the committee, we stand adjourned.

*The committee adjourned at 1058.*



## CONTENTS

Wednesday 9 October 1996

<b>Subcommittee report</b> .....	A-483
<b>Appointments review process</b> .....	A-483
<b>Intended appointments</b> .....	A-487
Donald H. Gordon .....	A-487
Paul Beaudry .....	A-488

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

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- \*Mr Bruce Crozier (Essex South / -Sud L)
- \*Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- \*Mr Bert Johnson (Perth PC)
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- \*Mr Peter L. Preston (Brant-Haldimand PC)
- \*Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Also taking part / Autres participants et participantes:**

- Mr Sergio Marchese (Fort York ND)
- Mr Bud Wildman (Algoma ND)

**Clerk pro tem / Greffière par intérim:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

A-29



A-29

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 16 October 1996

# Journal des débats (Hansard)

Mercredi 16 octobre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 16 October 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 16 octobre 1996

*The committee met at 1003 in committee room 1.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** We have a full agenda this morning and we should begin. The first item is the report of the subcommittee.

**Mr Bob Wood (London South):** I move adoption of the report of the subcommittee.

**The Chair:** Mr Wood has moved adoption of the subcommittee report. Is there any debate on it? Are you ready for the question? All those in favour? Opposed? It's carried. Thank you.

## INTENDED APPOINTMENTS

## WILLIAM JAMES

Review of intended appointment, selected by third party: William James, intended appointee as chair, Ottawa-Carleton Regional District Health Council.

**The Chair:** The second item on the agenda is the one-half-hour review of the appointment selected by the New Democrats, Mr William James, as chair of the Ottawa-Carleton Regional District Health Council. Mr James, welcome to the committee. We are pleased that you are here. We always give an opportunity for the intended appointee to say a few words, if they wish to, and then have members from the three political parties ask questions of you. If you wish to proceed, please do so.

**Dr William James:** Thank you very much for the opportunity to be here this morning. I would like to say just a few words about myself. I always feel that when we say a few words about ourselves, we're supposed to sound very egotistical, but I'm not. I hope to sound quite humble, because I feel that it is a quite a privilege to have been nominated by my colleagues at the Ottawa-Carleton Regional District Health Council to be their chairperson.

As my CV would show, I've had a very wide base of activity in medical circles, non-medical circles and the community. I had the opportunity to be the chairman of the board of health in the Ottawa-Carleton region many years ago. I've also been the chairman of the board of the children's aid society. As a result, I've had a fairly broad background of activity and work in both medical and social areas, and also community work.

As an example, as it points out, I've recently been one of the co-founders and charter members of the David Smith Centre for teenagers with substance abuse problems. I'm also involved with and was one of the charter members of the Ottawa-Carleton region for Variety Club, which is a charitable organization, a fund-raiser. Also,

I've been involved in the Children's Aid Foundation, Queen's University, which is my alma mater. I've always had some attachments there and was at one time president of the area there and of Ottawa-Carleton. I'm also currently the medical adviser for the Children's Wish Foundation of Canada on a national basis.

I've had an opportunity to be involved with many areas of health care, community work and also the district health council. As my CV would also show, and I believe you would have that, I was appointed to be a member of the district health council and served from 1990 to 1994, and then I was reappointed this past February. So I feel I've had the opportunity to work in many areas, locally, regionally and nationally, and would hope that I can carry forward as chairman of the district health council in Ottawa-Carleton and add something to the activities and the workings of that organization.

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning. Would you tell the committee a little about the reasons for your interest in the district health council?

**Dr James:** I've been interested in health care and working with people in the Ottawa-Carleton region, as I said in my opening remarks, for many years. I served on it a few years ago, between 1990 and 1994, and came to appreciate the needs and maybe the wishes of the Ottawa-Carleton region in terms of health care. When I was offered the opportunity to come back on in February 1996 for another two-year term, I just felt there was a challenge there. I've always liked challenges; that's been my lifestyle. This offered me an opportunity to work with a different group, certainly a different board, and accept the challenge. I didn't expect to become nominated for chairman of this organization at the time. In light of what's happening in the Ottawa-Carleton region, it's become a greater challenge than I expected, but that's what I'm there for. I like the challenge and I feel that I have something to offer my community, which has also been very good to me over the years, I might add.

**Mr Ford:** Are you familiar with the plan for the hospital restructuring prepared by the district health council and submitted to the Health Services Restructuring Commission?

**Dr James:** I am very familiar with it, sir. I actually have the document here, just so you know I've even looked at it and made lots of notes over the years. But I came on board in February and we submitted this to the restructuring commission just recently. This is really a commitment to change, and it's not just hospital restructuring, if I may add; it is restructuring and relooking at the health care delivery system in the Ottawa-Carleton region. As a member of the council and as a member of



the executive committee, I've been very familiar and worked with this in preparing this documentation as well.  
1010

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** You're familiar with what's been happening in the Ottawa region with the hospitals: the closure of the 500 beds and no hospitals closed out at any time. What's your feeling on that?

**Dr James:** I'm going to speak as the acting chair of the district health council, because that's the way I've had to be over the last few months. I have to support the document. This is a good document. We have addressed the issues. We've addressed the fact that we can save \$125 million from the hospital budget. We've realized the 18% we were asked to realize. It's a good document and I support it as it now stands.

When it came to the meeting itself on May 29, which was very public, my voting record is public. As a chairperson, I have to support what we say, because we can achieve those goals, particularly with the reinvestment strategies that are also being added in. It is a good document. We can work within it, and if we get the common governance of the four teaching hospitals and the merger of the two major hospitals — the Civic and the General — further changes down the road can be achieved. That's why I support what we've been doing.

We've had a lot of beds closed. We've had over 500 beds closed since the 1988-89 year and I think there's a chance for some levelling off. We're still coming in below the provincial average with our recommendations. I have to support this.

**Mr Ed Doyle (Wentworth East):** You've had some extensive involvement, of course, on committees and boards. I wonder if you could tell us what you'd like to see accomplished on the health council, what your priorities are, or did you just discuss them at that moment?

**Dr James:** No. I expected this question, because that's a logical type of question. My own expectations are that we have to look at keeping our council together and getting some common goals. We've gone through some turbulent times — the press has said that — but after saying that, we've all worked quite well to achieve our goals and to achieve what we've accomplished already.

Again, I think the main thing that I personally have to do is to speak on behalf of council. I have views. I'd like to see some of the things that are going to happen. Personally, I feel the most important thing now is to get on with our reconfiguration and then the implementation. We've already put our report to the restructuring commission, and the implementation of our plan becomes goal number one after we hear back in mid-December or, officially, in mid-January.

At the moment, we're also looking at restructuring and reconfiguration, and probably amalgamations and mergers of two, three, maybe even four of the district health councils in the region. In eastern Ontario we have six district health councils and it's been very obvious that there are going to be some changes in this area. That's going to become one of our number one priority items over the next several weeks and months.

Implementation I've mentioned already.

We have a lot of other areas that have to go forward in Ottawa-Carleton, such as mental health reform. When I get back to Ottawa later this afternoon, we're going to be having a meeting just to discuss some of the areas. That's a key area of concern in the francophone community and for the seniors, and long-term care of our patients in that area as well.

**Integration of services:** This is maybe a new buzzword for a lot of us, but integration of services is another area that we feel we have to look at, both in the hospital sector as well as on a regional basis. It may well eventually evolve that we have to look at regional health authorities. This is something that's come up. I'm not sure just which direction we're going. There's a lot of discussion, but these are some of the priority items that, as chair, I have to steer through our committees and look at. I'm sure that over the next several months there will be many changes to my vision, but nevertheless, as a chairperson I'm really there to hear what other members have to say, help to put it together and work in this area.

**Mr Bob Wood:** We'll reserve the balance.

**Mr Rick Bartolucci (Sudbury):** Good morning, Dr James. Welcome. We've just gone through a restructuring in Sudbury, and I get very emotional whenever I think of it. I'll try not to bring the Sudbury experience into play, but maybe just a few general questions. Do you support the government's agenda to close hospitals?

**Dr James:** I'm not sure. If I may twist your question around just a little bit, sir?

**Mr Bartolucci:** Go ahead, do whatever you want with it.

**Dr James:** I feel that health care has been delivered almost the same way for 100 years or so, maybe even longer, and the time has come to relook at how we're delivering health care. Things have changed. Technology has changed. I think everyone in this room knows that if you go in for a gall bladder — I'm a paediatrician, and in my own area, with new medications — we used to keep an asthmatic in for a week or 10 days. Now the average length of stay is 48 hours, if at all. With changes, beds are obviously going to be closed and have to be closed. Whether we close institutions has to be very carefully addressed.

I'm familiar on a superficial basis with what went on in Sudbury. I believe three out of your five hospitals were closed. I also understand there's been reinvestment, but I'm not sure of the details. I've just seen the preliminary report.

Ottawa-Carleton — it may well come to the fact that hospitals have to be closed. We feel, as a council, we supported at our very open meeting on May 29, that we could achieve our goals of an 18% saving without closing them.

So, yes, I do agree with the ministry's and the government's views on restructuring health care, and we in Ottawa-Carleton don't look at closing hospitals but we look at restructuring. I think that's the issue, not just closure of beds. If it should come to pass that the commission says we've got to close beds, then we will close them, of course, and I think we can work within that framework also.

**Mr Bartolucci:** If I hear you correctly, you're certainly supportive of restructuring hospital services. I don't



think there's anybody in the province who isn't supportive of that. But you said in response to a question from one of my colleagues across the way that you're very supportive of the document developed by the DHC which says there's going to be no closures if you don't want closures of hospitals, but now you're saying that if they close, them so be it.

**Dr James:** No.

**Mr Bartolucci:** No?

**Dr James:** If I may, sir, I'm saying that if they say we have to close them then we're quite prepared to work within that framework. I also said that it may well come, with our mergers and our common governances in these changes, that further cost savings have to be facilitated, that we would have to work within our framework either to close more beds or to close hospitals if necessary, but at this particular time we feel that in the Ottawa-Carleton region it's not necessary. But I also said, quite rightly so, that if they say we must close hospitals, there are empty beds that could be brought back into service in some of the closed wings of hospitals and we may well have to do what they're suggesting. If they do, then we're quite prepared to work within that framework. At the moment it's maybe a bit theoretical, but that theory may turn to practicality very shortly.

**Mr Bartolucci:** Very shortly. How many years has the DHC worked on their report?

**Dr James:** A little over two years.

**Mr Bartolucci:** The Sudbury experience would tell you that we worked on it for approximately two and a half years. Did you hold extensive public hearings?

**Dr James:** First of all, we had 13 subcommittees that were working on the restructuring commission, on the restructuring of our health care system. We had three or four open houses where several hundred people came. Our actual meeting itself was very public. We had it in the regional headquarters which was televised and it was a very open vote. The whole process was open; it was wide open. Even when the restructuring of our own health care system had their meetings before they reported to council, TV was there, it was an open meeting. I personally also subscribe to the fact that meetings and things like this should be very open, in an open process, because I think we have a responsibility to our community. So, yes, it was very public all the way through the process.

**Mr Bartolucci:** That's very good. That was the experience in Sudbury as well. Do you believe then that the way the Health Services Restructuring Commission's mandate is set out is the proper way, because you know theirs isn't public at all, everything is done behind closed doors? Are you in support of that?

**Dr James:** Well, I'm in support of the restructuring commission. My understanding is that they're really quite independent. They are, of course, a body that recommends to the Ministry of Health what should be done. I'm not sure if there's another way of doing it at this point. I've really not felt that it's my purpose to say too much further on this. I think this is the way it's been mandated and I think we have to accept this as such. Certainly at our level at the Ottawa-Carleton Regional District Health Council I think communication with the

public is important. That's one of our roles, that's one of my mandates as chairperson, to make sure it's public. What the ministry does in these other areas I think is out of my hands and I just have to go along with them. So does the rest of council.

**Mr Bartolucci:** Yes. I guess I'm asking for a personal opinion here. If you'd rather not give it, that's fine with me as well. But would you feel betrayed if after this two years of very extensive public input and trying to come to some type of consensus — and it looks like you've provided the commission with three scenarios that they could effectively use — would you be disappointed —

**Dr James:** No. We presented one scenario. That's the scenario that's in here. There were other scenarios that we've looked at and there's other people and other organizations in just about every hospital and region with their own scenario that they've presented, but district health councils only presented one scenario.

**Mr Bartolucci:** Right. I was about to say that after all those scenarios you came to one, I guess, plan of attack that you believe would work best in your area. Would you feel terribly betrayed if they didn't accept that?

1020

**Dr James:** I don't think "betrayed" is the right word, but I think we would be disappointed to some extent, yes, because a lot of hard work has gone into it. But on the other hand, as I said earlier, whatever will be we have to work within that framework, but we think we have a good document, and we feel this is the one that should go forward.

**Mr Bartolucci:** I think if history is any indicator, the people in Thunder Bay felt betrayed, people in Sudbury certainly feel betrayed. I would hope you would be the exception to what's happening across the province with health services restructuring.

Another point I guess, a minor point, and maybe it's just a comment, this commission really has nothing to do with health services. It has everything to do with hospital closures. If you saw, and you will see, certainly when you get the commission's decision, how poorly they address health services restructuring. It's beyond belief, but that's only a comment and an aside.

How much money do you feel should be reinvested that's taken out of the Ottawa area?

**Dr James:** Again, after two years and \$2 million of study, we feel that a minimum of \$40 million, closer to \$60 million, should be reinvested within our community. For instance, we need over 500 long-term-care beds. That costs money in capitalization. It also takes money in terms of running these organizations; right there in itself is a major area. Home care, physiotherapy, occupational therapy and AIDS hospice: These are just some of the recommendations that we've made, and we feel that about \$60 million would keep our health care system, with our recommendations, very sound.

We're also talking about 2,000 jobs lost with our restructuring that we've recommended, and anything beyond that would of course take more, and at least by reinvesting some of these jobs that are lost, maybe a fair number of them, could be reinvested into the community that way so it helps our own economy this way as well.

**Mr Bartolucci:** How many more minutes?



**The Chair:** Two.

**Mr Bartolucci:** Are all the hospitals in Ottawa considered to be bilingual hospitals?

**Dr James:** No.

**Mr Bartolucci:** Have you addressed that in your report? I have to be perfectly honest, I haven't read your report.

**Dr James:** It's a key to the report. It's a very key ingredient. If you live in Ottawa-Carleton region, we all know that this is a very key ingredient to the proper maintenance of health care in our community. Over 20% of our community is francophone so it has to be addressed.

**Mr Bartolucci:** Would you find it peculiar for a commission to recommend that they take no stance on it at all, whether it be unilingual or bilingual and they leave it to the new board? Would you find that unusual for a commission to do that?

**Dr James:** I can't comment on what the commission is going to do, but certainly in our discussions with them, and I had one major one with our group from Ottawa-Carleton and another one with the eastern Ontario district health council, but I think that they will take this into consideration. But again, I can't speak for them.

**Mr Bartolucci:** Don't ever speak for the commission. You'll only be disappointed. I was checking your résumé and it's very extensive, and certainly you're qualified for this position and there's no question about that. I don't see anything about sports. Are you a hockey player? Have you ever been a hockey player?

**Dr James:** I'm an avid skier, an avid golfer and I finally got my nine-hole score below my age, not because I'm a better golfer.

**Mr Bartolucci:** I'm proud of you. The reason I ask if you were a hockey player —

**Dr James:** I'm a former sports announcer and I started my career with a gentleman by the name of Johnny Esaw way back when.

**Mr Bartolucci:** I know Johnny well. I would suggest, though, that you practise your hockey skills, because once the commission hands down its report, you as the chair are going to have to do some excellent stickhandling to make sure that this commission report is acceptable to the community. I wish you well, and I hope at the end of the day you are as optimistic as you are right now with regard to the commission's recommendation. I only wish the people of Thunder Bay and Sudbury could've been as optimistic as you are.

**The Chair:** We'll move now to someone who needs no lessons in skating.

**Mr Gilles Pouliot (Lake Nipigon):** It's certainly a pleasure to be here. I'm subbing for someone else. Bonjour, docteur.

**Dr James:** Good day. Bonjour.

**M. Pouliot :** La vie est belle.

**Dr James:** My French-language skills are minimal, sir.

**Mr Pouliot:** Yes, but you do represent 20% of what is the bastion of francophone representation in your high-profile capacity.

**Dr James:** That's right, sir.

**Mr Pouliot:** Very well, sir.

On your golf score that you finally play sub-par your age, those things are, sir, with respect — I respect doctors — subject to change from time to time, but if at one time you wish to, you can resist no longer when you tabulate your score and it's a little white lie, I invite you to work with and to golf with the real professionals when it comes to a score that you wish and a score that is with its daily variance.

Doctor, you spoke openly, and it was with candour, and I for one too would wish to operate that way about the need for open meetings, that there are no skeletons, there's nothing to hide. We're talking about the public purse; we're talking about public health and we touch everyone. Sometimes we impact their lives most directly. Everyone is on a waiting list. No one escapes the system. You would not favour a fifth column. For instance, if a group of appointees to the DHC was to meet in secret, that would not be your style, that's not the way you would conduct business, Doctor, would you?

**Dr James:** My skills — one is communication, and almost every board and everything I've chaired has been very open. I must say that I don't like private meetings, but I think people are entitled to this somewhere along the line as long as they bring it to the table, and most of these such groups usually do eventually have to. This would not be my preferred way of seeing business done, but certainly it's something that is done and I'd be very naïve if I didn't believe in it.

**Mr Pouliot:** You're not naïve at all. With respect, you're a doctor in medicine and you know what's down the pipe. It's been said, perhaps in extreme, that what you have here by virtue of Bill 26 is government by decree, that people will move — the analogy would have some validity, the following, that what you have is a chainsaw with an attitude, government by meat cleaver, that will go right to the heart of the most cherished trust and service, that of health care.

As chair, what would your reaction be? On the one hand, you have accessibility, the need of the people that you represent, the citizens. On the other hand, systematically, deliberately — not bed closer, no, not that kind of rationalization, but real padlock so that when Ms Jones, after visiting your office — and you see, she has to be confined, but she's 74 years old; she cannot defend herself. It has been decreed by some order above, and it becomes a matter of conscience, someone like you would be asked to stand up to represent Ms Jones, to speak out, to influence so that the padlock does not lock her out or does not take away the chance of being like the others. Why would you in your position, no matter how positive, wish at this time to be the chair of the — don't you feel that the toxicity level in your tenure will take on extraordinary proportions, that this is not the kind of philanthropy that one would wish if one were a doctor?

**Dr James:** I'm not sure if it's any different if one's a doctor or any other citizen in the community. We all have a role to play in our community in the delivery of health care. I certainly would not like to see everything come with that padlock, as you suggest, but I think members of Ottawa-Carleton or whatever region it may be have to do what they feel and we feel is best for our community. I happen to be one of the spokespeople in



this area. I realize, and we all realize, what the government of the day eventually decides to do, whether it be the current one or whether it be another one somewhere down the road, we have to work because we are a planning board, we are a planning organization for our region and we are sending our recommendations to the government. They have that ultimate say and we recognize it. We can only do the very best we can, and for the moment I hope to be one of the people who can work with this government and work against the government, whatever may be, but certainly I think we have a mandate and we have to work and do the best we can. That's the very most I can say at this point.

1030

**Mr Pouliot:** What can I say? I don't wish to bring this subject matter, Mr Chair, with respect, to a level to which you are unaccustomed. You're not deserving of this.

Aside from your science — I came here but I haven't been here a long time: half of what that man, the Chair, as the dean of the House, has been here, 25 years. I will not try to emulate him.

**The Chair:** Leave me out of this.

**Mr Pouliot:** I've only been here half that time. Doctor, I used to have the same enthusiasm. In the morning I would get up and say it's really positive; we have so much to be thankful for. When everything was dark, I could still see the stars. That's until recently. I got to work with the three parties. We were the third party; we're back there. We were the official opposition, then we got to form the government, and on June 8, with the help of voters, with the patronage of the Ontario electorate, we find ourselves back as the third party — but no, no, not the third; the fourth party. You have a coalition of Progressive Conservatives, mostly old-timers or people who have had tenure for some time.

See, they had to advertise because they had the disfavour of people, so some of them came forward and they said, "Yes, I want to be the candidate." If the time was right, their number was picked — and half of them are Reform. I don't want you to be the referee in all this. This is the reality. These people will put the bottom line way ahead of the human dimension as long as electorally they can get away with it. It's as simple as that. So if my friend Mr Bartolucci and I are resorting to desperate — well, it's a plea and an invitation for vigilance. Patience will become a virtue, will take on extraordinary proportions in your tenure.

**Mr Bert Johnson (Perth):** Point of order, Mr Chair: Which "patient" was that? I want to know the spelling of "patient."

**Mr Pouliot:** It's my time.

**The Chair:** I think you should ignore the interjection, Mr Pouliot, since your time is almost up, and proceed.

**Mr Pouliot:** I can spell "patience" in three languages as soon as you can spell "parallel."

**Mr Bert Johnson:** P-A-R-A-L-L-E-L.

**Mr Pouliot:** It's two Ls, yes.

I wish to apologize on behalf of my distinguished colleague. He spells "dilemma" with one M.

In closing — and Bert, I don't wish to lose my train of thought — if you had to choose, Doctor, if you were vexed, appalled, shocked, if people in your community,

the Ms Joneses of this world, people with no voice — but you're not the face in the crowd, a number in the book; you're the chair. You're the main person there. If you thought the government was moving too fast, that it did not have the proper database, that it was too hasty, that the timetable, the steamroller, would jeopardize the health, that it would create a climate of anxiety that would immediately lead to fear, where rumours would take on extraordinary proportions, would you stand up as the chair and say, "What is being done here is wrong," and come up with an alternative that says that we can do it better?

**Dr James:** As chairman — "chairperson" I guess is the politically correct word — I have to speak for what our council suggests. If recommendations come forward that do not meet with the approval of our council, that is the place where we would debate it and I would certainly speak for whatever our council decides on and votes on. Again, we are an open board; the press is at our meetings. We have nothing to hide. So if we disagree as a council, I would have to speak on behalf of the council.

**The Chair:** Mr Pouliot, your time is up.

**Mr Bob Wood:** If you were starting from scratch to design a hospital system in Ottawa-Carleton, how many hospitals would you recommend?

**Dr James:** I find that a difficult question.

**Mr Bob Wood:** It's an important question too.

**Dr James:** It's an important question, and how I voted on the night of — remember, I'm speaking on behalf of our council. If you want me to speak from a personal point of view —

**Mr Bob Wood:** Yes, I apologize. I'm asking for your personal opinion.

**Dr James:** If I spoke of this from a personal point of view, rather than how many I'd keep open — and I must tell you that I did vote on May 29, when we had our open meeting, to close one of the hospitals and turn it into a long-term-care facility. I would have at that time also supported the closure of one and probably two other institutions. We have about 375 beds scattered throughout the region in other hospitals, including the big ones, the Civic and the General, and I would certainly have used those pavilions differently. That would be how I would have visualized it at that time. I think there's a lot of merit to this and we could work within that.

Again, our council voted differently, so I'm supporting the council's view, but I did vote and it's on record. I have that record right here. It was a 10 to 9 vote that the Riverside, which is the hospital I'm thinking about first, remain open with some alterations and changes in how they provide their service and not be turned into a long-term-care facility. That led to different parts of the puzzle and a domino effect. The other hospitals said, "Why should one hospital be the whipping boy or whipping girl for a \$5-million saving?" That was the thinking. Had I done it, I would have done it a little differently. I would certainly have done the other mergers and the common governance that are being recommended, very definitely. I'm a very strong supporter of that approach.

**Mr Bob Wood:** I'm asking you purely to speculate, and to speculate on a personal basis. If you were designing from scratch, how many hospitals would you recommend for the Ottawa-Carleton area?



**Dr James:** Probably seven instead of the current 11. Eight, actually, instead of the 11.

**The Chair:** Thank you very much. The time is up. Dr James, thank you very much for coming before the committee and for your responses to the questions. Feel free to stay if you wish.

#### GERALDINE LLOYD

Review of intended appointment, selected by official opposition party: Geraldine P. Lloyd, intended appointee as member, Lambton District Health Council.

**The Chair:** The next intended appointment is Geraldine Lloyd for the Lambton District Health Council. We welcome you to the committee. If you wish to make any opening remarks, please feel free to do so at this time.

**Mrs Geraldine Lloyd:** Mr Chairman and members of the committee, my initial interest in long-term care came about by the realization that I would personally be in the position of needing to access services for my husband at some time in the future. As his condition deteriorated, I became aware of the needs of people who are ill or disabled and the difficulty of accessing services.

Having the background I have as a volunteer for the United Way for some 10 years and with the fact that I've been employed by a social service agency, I was aware that services are available out there and that you have to be persistent to try to access them. To this end, after reading articles in the newspaper I made inquiries about becoming involved in placement coordination services and long-term-care reform.

In February 1994 I became a member of the placement coordination services advisory committee and, because of my expressed interest, was requested to forward an application to the Lambton District Health Council. As a result of this application, in March 1994 I was appointed as a consumer representative to the multiservice agency subcommittee established to advise the health council on the planning, design and coordination of long-term care offered by a multiservice agency. In January 1995 I was appointed to the long-term-care committee.

With the advent of the Progressive Conservative government in June 1995, the MSA subcommittee became unnecessary and was disbanded in February 1996. In February 1996 I applied to become a member of the health council in reply to an advertisement in the newspaper. In April 1996, again in response to an advertisement in the newspaper, I applied to be considered for the board of directors of the community care access centre which has replaced the multiservice agency. I was so appointed in June of this year.

1040

To this point my perspective has been focused on the long-term-care aspects of health care. An appointment to the health council would allow me to become more knowledgeable about the other aspects of health care, and I'd like to do what I can to contribute to the planning for health care in my community. I believe that with the reductions in funding for services, it's imperative that ordinary citizens make themselves aware of the impact and try to do what we can to ensure adequate services remain. Although my involvement has been of short

duration and I have a lot to learn, I'm prepared to make this commitment.

**The Chair:** Any questions from government members?

**Mr Doyle:** Good morning. How are you today? You had mentioned your husband and that this basically is the thing that got you interested. I'm wondering about your representation on behalf of all citizens. Do you feel this will be difficult for you? Can you manage that?

**Mrs Lloyd:** My husband died in February 1995.

**Mr Doyle:** I see. No, but I'm talking about representing everybody. You don't feel you'll have a problem with this?

**Mrs Lloyd:** I don't think so.

**Mr Doyle:** I wonder if you could expand a little bit on that.

**Mrs Lloyd:** I have, as I said, served on citizen review panels with the United Way for the last 10 years, and as such have interviewed a number of the agencies, so I know the services that are there. I know the needs that are there through those agencies. I also worked for the Association for Community Living, which used to be the Association for the Mentally Retarded, and have seen the needs there for not only the people but their families as well, and for medically fragile children in particular.

**Mr Doyle:** Thanks very much. I appreciate it.

**The Chair:** Any further questions? If not, we can reserve the time for later if you want.

**Mr Bob Wood:** We'll reserve our time.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mrs Lloyd. The district health council in Lambton county has of course come up with a plan which is obviously reasonably detailed, and I guess you have been part of the health council while that plan was being put forward.

**Mrs Lloyd:** I'm not part of the health council. I'm part of the long-term-care committee.

**Mr Gravelle:** But I presume you are reasonably familiar with the plan as put forward by the district health council.

**Mrs Lloyd:** Only from what I heard through the members and what I read in the newspapers. I was not part of the discussions or the decision-making.

**Mr Gravelle:** Could you give me your thoughts in terms of what you do know and what you have been able to read? Would you be able to give me your thoughts in terms of this restructuring as it's put forward by the health council, how it looks to you in terms of being a plan that would work, that will still meet the health care needs of the area? Do you have any thoughts just in general on the plan as you know it, as it's been submitted to the restructuring commission?

**Mrs Lloyd:** Given that I know very little about it, about the background of why decisions were made, I think it is a viable plan.

**Mr Gravelle:** I think one of the significant parts of the plan as put forward by the Lambton District Health Council is the need for reinvestment. If the plan is accepted by the restructuring commission and the minister, there would be a great need for almost the entire reinvestment of funds. The money that comes out would have to be put back into the system.

This has become probably a pretty strong issue all across the province. The restructuring commission does



come into the community and make decisions which take out, on a yearly basis, a large amount of money from the health care community in their area. There are many who feel that indeed the reinvestment should go back into the community. I see that in the Lambton county district health council plan, in order for the plan to go forward, they need to have all the money that's taken out reinvested back into the plan. I want to know your position on that, whether you feel the dollars that are taken out as a result of restructuring should at least in the short term be put back into the community in terms of a reinvestment.

**Mrs Lloyd:** Yes, I agree with that.

**Mr Gravelle:** Has that been an issue that's been talked about much? I think probably it's fair to say that everyone in the province is pretty scared about restructuring. I think all of us recognize the need to have some form of readjustment in terms of the health care in our communities, but the minister has made it pretty clear that communities should not expect to have the full amount reinvested back into the communities. Would you argue that?

**Mrs Lloyd:** I really don't understand your question. Do you want to rephrase it?

**Mr Gravelle:** You obviously feel the money that's taken out of the community should go back into the reinvestment. Do you think it would be the role of the health councils to fight that issue if indeed all the money was not to come back? I come from Thunder Bay and the restructuring commission is recommending a fair amount of money, a net amount of about \$30 million a year, being taken out, with reinvestment not matching that. Obviously we feel very strongly that there should be more money put back into our community if it's going to be taken out. Do you feel it's the health council's role to fight that? If indeed an equal amount of money wasn't put back into the community, do you feel it's the health council's role to fight that issue?

**Mrs Lloyd:** As I understand it, the health council's role is to plan and to advise the Minister of Health. If that was the wish of council, then I certainly would think that's what we would do.

**Mr Gravelle:** Your emphasis or your priority has been long-term care, and obviously that's a huge issue as we go into the future. We've been talking about the whole cost of an integrated health care system as well. Are you very familiar with the concept of the integrated health care?

**Mrs Lloyd:** No, not really.

**Mr Gravelle:** Can I ask you just one last question then? In terms of your priorities, what would be your priorities? Obviously this is a really, really difficult time in the province in terms of health care and there are some decisions being made that are affecting communities in a very dramatic way. What precise role do you want to play in terms of the health council? You're going in at a very important time. What would be the role you want to play and what direction would you want to push the council in?

**Mrs Lloyd:** I'd like to see that with the closing of hospital beds, which I guess is inevitable, those resources are in the community to take care of people who would

previously have been taken care of in hospital, whether that is in their own homes or in some kind of transitional home setting. It also means caregiver support. Having been a caregiver, I know how important that is. If you don't support your caregivers, then you don't support your health care system either; for instance, parents of medically fragile children who are just burned right out because they can't get the kind of support they need.

**Mr Gravelle:** Again I'll use Thunder Bay as a reference point. They're basically going to take half the acute care beds in Thunder Bay, remove them from the system within three years in Thunder Bay, which is very, very dramatic. The number of chronic care beds will be reduced dramatically as well. The response seems to be that they will have more money to put into home care. They're recommending giving a couple of million dollars to put into home care. They're also talking about the fact that many people should be in nursing home beds rather than in chronic care. Having said that, there aren't the facilities in place for those nursing home beds and the province continues to cut money for homes for the aged. So it becomes a problem.

The concern that we have, and I'd like your thoughts on it in terms of Lambton county, is that the transition cannot be made in the time frame. In other words, by removing people out of the system and saying they can all be taken care of through home care, a lot of us don't believe that can happen in the time frame. The home care will not serve the entire needs. You can't just make the jump of removing people out of the system and then say they all must be taken care of at home. It just won't work. Do you have those same concerns, in that long-term care is one of your concerns: that there aren't enough beds, there aren't enough facilities to take care of them, and that home care will not entirely answer the question?

**Mrs Lloyd:** I'm very concerned about that. I think the government is doing its slash-and-burn without appropriate thought of what happens down the road. It's fine to cut them, but if you don't provide the facilities, the money, the services, people are going to go without. I'm very concerned about that.

**Mr Gravelle:** I'm interested to hear you say that because certainly that's our concern too, that everything is happening so quickly. If it goes forward as such and if we don't fight it, the system will basically be in place where there will be people who will not have the services, because you can't simply turf them out of long-term care and say, "We'll look after them with home care," if there's no home to go to. That is exactly what we fear is going to happen unless there is more assistance even for homes for the aged. When the money's being taken out of that and they're reducing the number of people who go in there, somewhere in the middle there's a big, black hole where it seems to me you'll find hundreds of thousands of people who just won't be able to be helped by the system that's set up.

I'm glad to hear you share those same concerns. Certainly it's one I think we all have to watch for as these transitions take place. Thank you very much.

1050

**Mr Pouliot:** Good morning and thank you for your time. More importantly, you've been serving since 1993.



It's easier for me to say, but my understanding is and I've been informed that you're well respected and efficient at your position as well. The DHC in Lambton has worked very hard, while times are changing, to come up with a restructuring plan because they know that really nothing remains the same, but now it happens quicker.

Some legislative research notes, and we're most appreciative, indicate — I think it's on page 4 — that Sarnia General Hospital would take over acute care and St Joseph's Health Centre would look after long-term and rehabilitation. Is this correct?

**Mrs Lloyd:** Presently, Sarnia General is the acute care hospital and St Joseph's is the chronic care hospital. The thinking is to merge the two and bring them both together. They're within 10 minutes of each other, so I don't see any problem with having one hospital in Sarnia. The other one is outside, in Petrolia, which is about half an hour away.

**Mr Pouliot:** Sometimes we don't know for sure until they pick our ticket, until our turn comes up, but we know that the government has plans to close a hospital in Sarnia. What is the Lambton DHC's position on hospital closure? There must be a heck of a lot of speculation. When people go to the coffee machine or the water fountain, surely they must talk about it. People at the committee before the meeting starts, if it's not an actual part of each and every agenda, must fear — you've mentioned slash-and-burn. To some, when you're under a state of siege, those words are most diplomatic indeed.

My colleague and I share the same venues, the same services. The city of Thunder Bay, right here, and Lake Nipigon and the surrounding, we gather to Thunder Bay for services. I live 400 kilometres away, and we relate to Thunder Bay because that's where we go for medical services. But now they are saying there's really no more room, that we have so much time — it's not you saying this, Madam, it's me — and we're left twisting in the wind. People are afraid. They really don't know where to go. They lose a sense of direction. It could have been avoided.

What is the DHC's position regarding hospital closure in your region? How do they feel about it?

**Mrs Lloyd:** I'm not a member of the DHC and I don't wish to speculate on that.

**Mr Pouliot:** You're most ethical. I appreciate that.

You're a member of the long-term-care committee. You submitted recommendations — my notes say this — to the ministry in March 1996. Leave or take a week, it's about eight months ago. What are some of these recommendations, and what have you heard back from the ministry since you submitted those recommendations?

**Mrs Lloyd:** You understand that the long-term-care committee submits its recommendations to the DHC, and then they're passed by the DHC?

**Mr Pouliot:** Yes.

**Mrs Lloyd:** Then it comes to the minister.

There were 16 of them. Nine or 10 of them I believe have been or will be addressed by the CCACs, the community care access centres, which have just been set up. I am on the board, but we don't even have a CEO yet, so we're very, very new. We haven't started to implement any of those services yet.

One item was transportation for people within the community. That's an initiative of the Lambton county municipal council. I gather they are pursuing that. Another one has to do with supportive housing. I understand that has been taken away from the DHCs by the long-term-care division of the Ministry of Health, so we won't have any input into that. This is what we understand.

There are four recommendations remaining, which have to do with caregiver support, services for physically disabled adults and children and training for mental health providers. Some of those things I know very little about and hope to learn about through this process.

**Mr Pouliot:** Indeed. I see you're confident about the challenge that lies ahead. You can serve — correct me if I'm wrong — for a maximum of six years; those are the criteria. You've done that, you've laboured since 1993, and you're looking for some more?

**Mrs Lloyd:** I'm always optimistic.

**Mr Pouliot:** Well, so am I. It's been my pleasure meeting you and I thank you for your time.

**The Chair:** Any further questions?

**Mr Bob Wood:** We'll waive the balance of our time.

**The Chair:** Okay, thank you for that. That completes the questioning. Mrs Lloyd, thank you very much for coming before the committee this morning. We appreciate it.

#### MICHAEL KRISKO

Review of intended appointment, selected by third party: Michael Krisko, intended appointee as member, West Kenora District Housing Authority.

**The Chair:** We have one further appointment to review, and that is Michael Krisko. Welcome to the committee. If you've been in the room, you're probably aware that we give you an opportunity to say a few opening remarks if you wish to and then we proceed with the questioning.

**Mr Michael Krisko:** I think I'd just like to briefly state my qualifications.

Some of the duties of the local housing authority are to provide safe and secure housing for the tenants; for the board members on the housing authority to look at the deployment of staff; to ensure sound financial, administrative and management practices with the authority; to consult with the tenant groups, look at their concerns and bring them forward to the authority; to make sure that policies of the authority are consistent with policies of the Ontario housing commission.

In that, I think my qualifications complement and support those types of duties. I've been a trustee with the Sudbury Board of Education for a number of years. I consulted with parents, ratepayers and community groups. I was a policy adviser with the Ministry of Labour for four years. I have a good knowledge of policy implementation, evaluation, formulation. I love policy, like the law, legislation.

From my early university days I've sat on boards, or at least appeal boards. That is also one of the functions of the local housing authority, hearing appeals from tenants who are denied housing, who want to move from



one complex to another or who are being evicted. I enjoy the quasi-judicial functions of a board very much. I studied that in school; I made it a career for quite a number of years. I like that sort of thing: administrative law, procedural fairness. I hold a master's in administration, degrees in law and justice, law and security. I've taught law and security.

Some of the concerns with housing complexes are to provide a safe and secure environment. I'm aware of techniques and methods to do that. With that, those are my qualifications. I'm quite willing to serve with the housing authority. I'm looking forward to it.

1100

**Mr Ford:** Good morning, Mr Krisko. We've heard about the possibility of east Kenora and Fort Frances-Rainy River being merged with the West Kenora District Housing Authority. Do you feel that there may be some efficiencies realized if this merger were to take place?

**Mr Krisko:** Restructuring is a big issue across the province. I think that, yes, there will be efficiencies saved. Presently, we have a number of local housing authorities in northwestern Ontario and there's duplication. Inevitably, with the reduction of staff which such a restructuring would bring, I think the savings are human resource and, of course, financial.

Second, you would find administrative efficiency inasmuch as you won't need as many coordinators and a lot of cooks preparing the soup. A more consistent and uniform application of policy will be brought about through a regional centralization of the offices. Policy is more consistent when it comes from one source instead of a number of sources, as we presently have, and of course you're going to have savings, financial efficiency and effectiveness with fewer LHAs. I understand there is some talk that there will be a reduction in the number of LHAs in Ontario from 54 to 18. I think that's a good thing.

**Mr Ford:** Mr Krisko, in your opinion, do you believe this to be a fact?

**Mr Krisko:** I don't know that is for a fact. It's inevitable that when you have reductions and the elimination of duplicate services you're going to save money. The budget for public housing is quite large. I think we are going to save some money here. I think it's a much-needed strategy in Ontario to do this.

**Mr Ford:** Have you reviewed this area and looked it over yourself?

**Mr Krisko:** Yes. In the short time I've had to look at this, a week or so, I've gone to the library, gone down to the local housing authority, reviewed as much as I could with the budgets and annual reports. I've also, quite frankly, talked with the staff. They too want some administrative efficiency. They want some means whereby they can have clear lines of authority. I think that, surprisingly, some of the staff are in agreement with restructuring. They do fear loss of jobs, there's no doubt about that, but presently they're uncertain. One of the messages I've been asked to bring is that if there is restructuring, do it as quickly as possible to lend some certainty to what's going on, and from my point of view, to see the benefits accrue more quickly to Ontario.

**Mr Doyle:** Good day, sir. Maybe you've already answered this question. I'm interested why you specifi-

cally volunteered for the board. I wonder if perhaps you have some specific goals in mind for the board.

**Mr Krisko:** Presently I work as a clerk in a department store and I don't have too much to do with the law any more. I'm not a lawyer. I was studying administration, working with policy. I've always devoted some amount of time to working with something in the community, usually on a non-paying basis. Right from university days, I've worked with legal clinics, that sort of thing, and to be honest with you, I've found a great need to get back into working with some legislation, working with a committee and doing something in a community.

This LHA appointment came up. I read a pamphlet put out by the government of Ontario and looked into it, and here I am now. It fulfils a need for me.

**Mr Doyle:** It wasn't that you had something specific in mind for the board so much as it was that you wanted to volunteer for the community and help out.

**Mr Krisko:** No, I don't have anything specific in mind. I know a lot of people in public housing. They're always telling me their concerns. They want a safe and secure housing complex. I also have a lot of friends who are taxpayers. They want to see reductions in taxes. There are two sides to this coin. We have a lot of marginalized people who need safe and affordable housing, yet we also have taxpayers who want to see some reductions.

Another message I've been asked to bring to you is that there should be some terms on the length of time people are in housing. It should be a safety support as was originally intended instead of a career choice. Apparently there are a great many people there for a decade and a half, which I can understand if they're disabled, if they can't get a job, and there are a lot of marginalized people in society who need affordable housing. Yet we do have to look at some tax savings. The term of residency is one thing I've been asked to bring to you, and there it is.

**Mr Frank Miclash (Kenora):** Michael, we talked a little bit about this on the plane down yesterday — it's already been touched on — in terms of the combining of the housing authorities. Do you think it's important that a study be done in terms of a regional breakdown on the savings, to see what it would save, before any moves are made to combine the authorities?

**Mr Krisko:** I'm sorry; I'm not a big believer in studies any longer. It's quite apparent that when you reduce duplication savings accrue. What I do think has to be addressed is that tenants' concerns have to be brought to any kind of new authority, and I think that they will be; some means will be found to bring their concerns, just as they are now. I have every confidence those concerns will be brought forward. Tenants are very active in public housing and elsewhere, whether it be in regard to the Landlord and Tenant Act, residential tenancies, public housing. They get together. They will make their concerns known. You'll hear the concerns. You won't need a study to find out the impact and the effectiveness of such reductions.

1110

**Mr Miclash:** In some aspects I think we're studied to death as well, but consolidated administration in Thunder



Bay, six hours from Kenora: We're hearing a lot of that. My main concern is that if we do a cost analysis of what's happening in that area, maybe there are some jobs that can be retained in Kenora rather than everything going to Thunder Bay.

You start with the OPP. We're seeing it with the Ministry of Transportation. We're seeing it with a lot of ministries. This is going to affect small-town north-western Ontario. I really feel strongly that if we don't take a look at the possibilities of leaving some of these jobs in these smaller communities, six hours away will be our administrative centre for everything. A lot of folks around here don't know that Thunder Bay is six hours from Kenora. That's the point I keep trying to make. So that's the reason.

I agree with you that maybe we are studied to death, but maybe there are some ways it can be looked at so that we can keep some of those Art Miors, for example, in Kenora. Don't you agree?

**Mr Krisko:** All good people. They know their job — property managers — how housing complexes are managed efficiently and effectively through people like Art Mior. I think it can be retained through representation. As long as there is representation from places like Kenora and Fort Frances, I think the concerns will be brought back to Thunder Bay if there is regional centralization, and in other places in the province, through people like yourself. All of these are means to bring the concerns to maybe a centralized structure. I don't think you need an actual office in any particular location, especially with telecommunications and newspapers. We are all able to listen to the messages and of course with public housing we want to hear the messages of the tenants and that's the concern. Jobs lost? Where they may be lost in one area, they're picked up in another.

**Mr Miclash:** How many more jobs can we lose from small-town northwestern Ontario to Thunder Bay before it really starts affecting such places as Zellers, for example? We have these jobs all moving to Thunder Bay, and that's the question. I'm saying here that if we do have some sort of a regional cost analysis, maybe we can find ways, as you say, through telecommunications, through whatever means, so that instead of just moving everything into Thunder Bay, which is happening, we can use Kenora, Fort Frances, Red Lake possibly, for these positions.

**Mr Krisko:** I love Kenora very much, I love northwestern Ontario very much, but how long can we maintain offices and costly staff when the same job can be done in other areas or in our own area?

**Mr Miclash:** Exactly.

**Mr Krisko:** When the same job can be done and we can reduce the duplication, as long as the job is done, that's the first priority in my mind, or else I believe that the taxpayers are going to be just taxed to death through this perpetual building of offices and hiring of staff and duplication of these services. Pretty soon we're going to need public housing for all the taxpayers in Ontario. I think a lot of these folks are really trying to get out of public housing and buy their own places. Taxation is just killing us.

**Mr Miclash:** Let me go back to my initial point of regional cost breakdown. Do you not think that would

identify some of the areas that could be pursued, such as leaving a satellite office in Kenora, leaving a satellite office in Fort Frances, to service those needs? Do you not think that would be a possibility from a regional study of the breakdown of costs?

**Mr Krisko:** A satellite office would necessitate leaving staff in that office, and of course Fort Frances would want the same thing; a satellite office means an office with staff.

**Mr Miclash:** So you'd rather see those jobs go to Thunder Bay. I'm talking about the same number of jobs, but you'd rather see those jobs just all be consolidated in Thunder Bay and everything run out of Thunder Bay, no consideration at all given to Fort Frances or Kenora to run the operation?

**Mr Krisko:** In my mind, my first consideration is the taxpayers and seeing that tenants' concerns are addressed.

**Mr Miclash:** I haven't seen any proof of cost saving, though. I'm saying that a regional cost breakdown would maybe show me the proof, but I haven't seen that yet. I think there are other ways to ensure that those jobs are left in small-town northwestern Ontario. That's my point, and that it has to be proven to us that yes, there is a fantastic saving by moving everything to Thunder Bay. I haven't seen that in a lot of areas.

**Mr Krisko:** I'll just reiterate that when you reduce the duplication of services and staff, I think the cost savings will be achieved.

**Mr Pouliot:** Welcome, Michael. Mr Miclash and I can readily relate to the distance that you travel to pay us the compliment of your visit.

I'm always intrigued by seeking tenure, by people like yourself who wish to apply to serve their fellow citizens, like you've said, your fellow taxpayers. How did you hear about this position?

**Mr Krisko:** First off, there was a pamphlet on local housing authorities and serving on government agencies down at the Ministry of Northern Development. I phoned up one of the agencies in Toronto here, and they told me there was a housing authority appointment to be made. I sent in my application and here it is.

**Mr Pouliot:** I see. So you weren't approached by anyone who said, "I think you're the right person for the job; I know you and you will serve well"? Did anyone approach you?

**Mr Krisko:** Don Myles, who is a retired northern affairs officer, said I may be good for a position like this.

**Mr Pouliot:** I see. That's okay, because we meet people. We know a lot of people and that's a chance we have. Sometimes I wonder, Michael, if in urban centres you have a real chance to know as many people as we do on a personal basis up north. We're smaller.

What community groups are you involved in? By this I mean groups that would qualify you to serve in the position on this committee. Do you belong to any community groups?

**Mr Krisko:** I've been back in Kenora for two years. I tried to raise money for cystic fibrosis on two occasions. Back in Sudbury I was involved with the legal clinic at the university — so far, nothing to do with established groups like the Rotary or Lions or anything like that.



**Mr Pouliot:** When I hear "Kenora," one of the first things that comes to mind is a strong representation of a first nation, a first Canadian contingent, and I think everyone will acquiesce to that. It's not a surprise to anyone. It's there, and we're happy that it is. What is your relationship with members of the native community, Michael?

**Mr Krisko:** I work with members of the native community. There's a large native population in Kenora. I have many friends who are native. I'm not involved in any native groups, that sort of thing. I know them as people.

**Mr Pouliot:** I'm going to ask you this. I'm a member of the New Democratic Party, Mr Miclash is Liberal and our friends opposite are members of a political party. Are you or have you ever been a member of any political party?

**Mr Krisko:** Yes, I think 15, 20 years ago I was a delegate to Bob Rae. I was a New Democratic Party member.

1120

**Mr Pouliot:** Were you a card-carrying —

**Mr Krisko:** I was a card-carrying member of the New Democratic Party for quite a few years. I liked the New Democratic Party and I liked labour and politics until I started looking at the legislation, until I was a vice-president of a labour group and everyone was telling me that the Conservatives, who were in power at that time, were not providing the legislation for workers' rights, for human rights. When I looked at that legislation, I found that it was there.

**Mr Pouliot:** I think that's about another issue.

**Mr Peter L. Preston (Brant-Haldimand):** It's not the answer he wanted.

**Mr Krisko:** Well, you asked that question, Mr Pouliot, and I'll tell you how I got here. I found that there was a basic and good Human Rights Code in effect, there was an Occupational Health and Safety Act, there was a good Landlord and Tenant Act, and they were all put in under the Conservative government. I'm a member of the Conservative Party of Ontario and I have been for 10 years or so. I believe in it.

**Mr Pouliot:** You were a card-carrying member of the NDP and now you're a card-carrying member of the Conservatives, but you were never a card-carrying member of any other party?

**Mr Krisko:** No.

**Mr Pouliot:** Like CoR or anything? Those things would not ring a bell, would they, like the CoR party?

**Mr Krisko:** The CoR party?

**Mr Pouliot:** Yes. You were not a member of the Confederation of Regions Party?

**Mr Krisko:** That was in Sudbury?

**Mr Pouliot:** Oh, yes.

**Mr Krisko:** I do remember them. I've seen lots of CoR activity.

**Mr Pouliot:** Okay. Your presence and your candour truly attest that the New Democratic Party is indeed very democratic.

You mentioned at the beginning of your presentation — professed some expertise, with respect — techniques and methods related to security on housing. A person my age values security more than ever before.

That sentiment, that ease should be enjoyed by all citizens. Would you give me a tip about some techniques, in a few words, and methods that you would use to make where I live more secure?

**Mr Krisko:** I think that the tenant groups have to have better relations with the police department. We have community services come out of our police department. They're willing to come over and do instructional seminars at housing complexes. I think they're working in the schools. A lot of housing complex students are attending the schools. The police go over there and give instructional seminars and better the working relations with police and with residents in the surrounding public housing areas. In that way a safer environment can be achieved. In these housing complexes there are a lot of youth, and I think the police are making some headway with helping them understand that it's better to just stay in school and live a life away from trouble.

**Mr Pouliot:** How bad do you see is the shortage of affordable housing in the province at present? Do you feel that the shortage is acute, that it's an urgency?

**Mr Krisko:** To an extent I think it's adequate, in some places more than adequate. I think there are a lot of areas where we have apartments that are not being rented. We have to fill up existing apartments first.

**Mr Pouliot:** Would you build any affordable housing at present?

**Mr Krisko:** I don't think that —

**Mr Pouliot:** If you were the government. Let's say you ran in Kenora and Mr Miclash came second, so you had the Kenora seat. Obviously you'd be in cabinet. Would you recommend to your cabinet colleagues that they build any affordable housing, given — you stated that — the present difficult state of finances in this province?

**Mr Krisko:** I think, whether or not there's a need, that has to be determined on a local basis, an area basis. Those are decisions that would be made by Ontario Housing and not the local board.

**Mr Pouliot:** You would fully support the privatization of public housing?

**Mr Krisko:** As long as it recognizes that there are people who will always need a place for affordable housing.

**Mr Pouliot:** I invite you, when you journey the six hours from Kenora via Thunder Bay, to take an additional four to come and visit us in friendly Manitouwadge. I want you to meet some of my good friends. I'm sure we could develop this theme in conversation and get to know one another better. That's all I have. I thank you.

**The Chair:** Mr Krisko, thank you for coming before the committee and for your responses to the members.

That completes the review of intended appointments. We should deal with the concurrences at this point.

**Mr Bob Wood:** I move concurrence in the intended appointment of Dr James.

**The Chair:** You've heard the motion from Mr Wood. Are there any comments? Ready for the question? All those in favour of Mr Wood's motion re Dr James? Opposed? It's unanimous.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mrs Lloyd.



**The Chair:** Any debate? All those in favour? Opposed, if any? It's unanimous. Thank you for that.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Krisko.

**The Chair:** You've heard the motion. Is there any debate on Mr Krisko's appointment?

**Mr Pouliot:** Just on a point of order; I wish to appear fair: Belonging to one political party in our system is neither a quality nor a deterrent when it comes to public appointments. I want to indicate on the record that I was curious, but certainly not vengeful, in terms of the right to belong to a political party. But it's interesting that,

given the present time, it's a happy coincidence for you, sir. That's all I wanted to do; no more but no less.

**The Chair:** Are you ready for the question? All those in favour of Mr Wood's motion, please indicate. Opposed? None. It's unanimous. Thank you very much for that.

Any other business before we adjourn? You have the subcommittee report on the appointment process for next week. We're ready to roll. Thank you all very much. We are adjourned.

*The committee adjourned at 1128.*





## CONTENTS

Wednesday 16 October 1996

<b>Intended appointments</b> .....	A-493
William James .....	A-493
Geraldine Lloyd .....	A-498
Michael Krisko .....	A-500

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

- \*Mr Rick Bartolucci (Sudbury L)
- Mr Bruce Crozier (Essex South / -Sud L)
- \*Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- \*Mr Bert Johnson (Perth PC)
- Mr Peter Kormos (Welland-Thorold ND)
- \*Mr Floyd Laughren (Nickel Belt ND)
- Mr Gary L. Leadston (Kitchener-Wilmot PC)
- Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

- Mr Tony Martin (Sault Ste Marie ND) for Mr Kormos
- Mr Gilles Pouliot (Lake Nipigon / Lac-Nipigon ND) for Mr Silipo

#### **Also taking part / Autres participants et participantes:**

- Mr Frank Miclash (Kenora L)

**Clerk / Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 23 October 1996

# Journal des débats (Hansard)

Mercredi 23 octobre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 23 October 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 23 octobre 1996

*The committee met at 1003 in room 228.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The standing committee will come to order. The first item of business is the report of the subcommittee, dated October 17.

**Mr Tony Silipo (Dovercourt):** Mr Chair, before we deal with that, or I guess as part of that, one of the people we had selected, Laurie Scott, to appear October 30, 1996, I gather isn't able to do so. What we need to do, I understand, is to ask that consideration of that review be extended by — I don't know if we need to put a time frame — two weeks.

**Clerk of the Committee (Ms Donna Bryce):** Fourteen days.

**The Chair:** Fourteen days. Do you want to put that in a motion?

**Mr Silipo:** I so move.

**The Chair:** Do people understand the motion? On the subcommittee report, you'll notice the name, "Selection of the third party, Laurie Scott, for the health council." She cannot be there. She works on a ship, I gather, and her ship came in, so to speak, or went out, whatever. She's still prepared to come, of course, so the motion has been put to extend that for 14 days.

**Mr Bob Wood (London South):** Mr Chair, my understanding is that Mr Silipo simply has to require it. I don't think he needs to make a motion, does he? I think he simply requires extension by two weeks.

**The Chair:** He's requested it. All right, is that agreed? Thank you for that.

**Mr Bob Wood:** Perhaps I might move adoption of the report of the subcommittee, dated October 17, 1996.

**The Chair:** You've heard the motion from Mr Wood. Any debate? All in favour? Opposed? It's carried.

One other item: A couple of weeks ago, the name George Beatty was brought forward. He was to appear today. He's a lawyer who has to appear before the Ontario Municipal Board. If you know that system, you don't lose the opportunity, so he cannot come today. I think it's legitimate. We need to sort that out.

**Mr Silipo:** I then move, if that's what's necessary, that we deal with the review of Mr George Beatty two weeks hence.

**The Chair:** That's fine too, yes. The clerk, I guess, should write to the appointments secretariat urging them not to make the appointment official until the committee has had a chance to interview Mr Beatty.

**Mr Silipo:** I'll make that part of the motion as well.

**The Chair:** Apparently he can't come until the November 20 meeting. We'll schedule him for November

20. Is that okay? Everybody's approval? Good, that's done.

## INTENDED APPOINTMENTS

## MARNIE RICHARDS

Review of intended appointment, selected by the official opposition: Marnie Richards, intended appointee as member, Province of Ontario Council for the Arts.

**The Chair:** Welcome to the committee, Ms Richards. The process is simply that you have an opportunity to make any opening remarks you might want to make — you don't have to, but you may — and then members from the three political parties will have an opportunity to ask you questions. We're in your hands.

**Ms Marnie Richards:** As you know, my name is Marnie Richards. I am from Brampton. I am also the executive director of the Brampton Arts Council in that city.

I believe you have my résumé and I just want to point out, not belabour but certainly to show you, that in the past I have held responsible positions in the management field. To do that, one must acquire, and certainly at my age must have acquired, some very sound business policies and management skills.

I also have sat for over 20 years on community boards — volunteer, but certainly community boards — within the city. Presently I am chair of Chinguacousy Health Services Board. I have been a past governor of Peel Memorial Hospital. I have been treasurer of St Leonard's House. In fact, in one way or another I think I've touched, not all certainly but many of the organizations within our city.

Those positions have permitted me the fortunate opportunity to be on executives, certainly to understand their culture and understand their problems but also to come up with a business plan for them to exist in this world.

You will also notice that I am very sensitive to the arts not only because of my job, but because I am, on one side, a performing actress. I have been on stage since I was three years old. Also I have sat on many of the executive committees and drives, and I understand certainly that side of the — I call it a business.

Also, I could build you a flat in 15 minutes. I can get out the drills and the saws and I have done many of the production duties. In fact, I can't think of a production duty that I have not done, so I have a lot of knowledge in the arts field.

If you look at the summary of qualifications, I have some very strong skills. One of the things that is down there is that I work well in autonomy but I work extreme-



ly well in a team environment, both when I had a staff in the past and on any board. I am here to show you that I can demonstrate the ability to make sound decisions and try to make an impact on that particular sector of the community.

I will accept questions. Perhaps that would be easier, Mr Chair.

**The Chair:** Yes, that would be fine. Any comments?  
1010

**Mr Peter L. Preston (Brant-Haldimand):** If I want to go and listen to Die Fledermaus, I'm subsidized; if I want to hear Garth Brooks, I'm not. How do you feel about that?

**Ms Richards:** I think there has to be, in this day and age, a real look at the economic trend. If you are subsidized, I think you are blessed in this day and age. If a professional comes in and certainly the professional goes back into his pocket, then I can quite understand where the fee would be. If you are asking me if funding — and I'm not sure if you are, sir — should be going to the artist, I think it's a whole issue that has to be addressed today. It's a long-reaching —

**Mr Preston:** That was my second question: Do you favour the continued government funding of individual artists? You're saying that has to be looked into.

**Ms Richards:** Absolutely.

**Mr Preston:** All right. If you are looking into that, how do you go about setting priorities in distribution of the limited funds we have?

**Ms Richards:** Since I have not been involved with the Ontario Arts Council, I think I would have to go in and review what their procedures are and what standards they put on their criteria. But today I think, generally speaking and not speaking of the Ontario Arts Council, since I have not been there, you must look in any organization not only at the artistic side of it but also at its programs on the economic benefits. You have to be sure, internally, that you get the best use of every dime that you are allocated and have as a resource and externally that, in a company's case, a product, and in this case a program, has quality, is effective and certainly runs efficiently and addresses the economic bottom line.

**Mr Preston:** My next question may be premature too. How would you suggest the Ontario Arts Council go about encouraging arts organizations to become more self-sufficient?

**Ms Richards:** There is, at the moment, an examination of the arts organizations that belong to or certainly obtain potential grants from the Ontario Arts Council. We are looking forward to the results of that examination.

May I share with you what we do at the Brampton Arts Council? Three and a half years ago we did a major overhaul. We realized that the economy was dropping, that we needed to become self-reliant. Indeed, we look forward to the core funding from the city, but also the city of Brampton has been out of the grants business for many, many years. Although we manage a budget of about \$100,000, it is not a rich arts council as compared to our sister in the south, whose city, Mississauga, is still in a grant position. Coupled with that and also with the realization of the board that we must try to find other means of funding, I think we were, if not the only one,

certainly one of a very small number of arts councils that moved in that direction and saw it coming. I'm quite proud of the board for that, because it's making it far easier to operate today.

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Marnie, and welcome. I've got a couple of questions here. We'll see if we can get through them. Are you familiar with Bill 71, the Crown Foundations Act, 1996, which permits a tax credit of up to 100% of net income for donations to an organization like the Ontario Arts Council? Do you feel that this is a positive step in arts funding by the government?

**Ms Richards:** Absolutely. You can't take away from one side of it and not make it client- or patron-friendly. On the other side, you have to encourage and motivate if you're going to go to other sources of funding in the community.

**Mr Ford:** I've got one other question here. According to a study by Informetrica, for every \$1 spent on the arts by council, \$1.23 was generated in economic activity. Could some of that money that was originally given out in the form of a grant by council conceivably be generated by tax-deductible donations to replace handouts by the government?

**Ms Richards:** I'm sorry, could you repeat the last part?

**Mr Ford:** I'll say it slowly. According to a study by Informetrica, for every \$1 spent on arts by council, \$1.23 was generated in economic activity. Could some of that money that was originally given out in the form of a grant by council conceivably be generated by tax-deductible donations to replace handouts by the government? In other words, what we're looking at is, the government doesn't want to be handing out money helter-skelter all over the place.

**Ms Richards:** Yes, absolutely. I would say, because I'm not involved in it, yes, absolutely.

**Mr Ford:** Fine, thank you.

**The Chair:** There's about a minute left.

**Mr Bob Wood:** We'll reserve the balance of our time.

**The Chair:** Any questions over here?

**Mr Michael Gravelle (Port Arthur):** Good morning, Ms Richards. Certainly you would seem to be well-qualified in a number of ways for this position. Your involvement with the Brampton Arts Council obviously in a personal sense has given you a great deal of experience with fighting some of the fights that we've been fighting in the arts world in the last three or four years.

I know that in terms of Thunder Bay where I come from, the Magnus Theatre North-West — we have a professional theatre in Thunder Bay — and the Thunder Bay Symphony, which is a wonderful addition to our community, are battling very hard. One of the points that I think needs to be made, and I'm sure you'll back it up because of your involvement with the Brampton Arts Council, is the extraordinary amount of work that's coming from volunteers in the fund-raising area, the subscription series — the community does get behind it in a remarkable way.

**Ms Richards:** Absolutely.

**Mr Gravelle:** But I do think it's extremely clear that in terms of economic value of the arts — Mr Ford just



used the example and it's quite true; for every dollar that's spent much more is returned. Do you mind commenting on the fact that government support is declining? The arguments would be that that declining support obviously is going to make it very difficult for some organizations to keep going and that in light of the fact of the economic value and the return to the government just in terms of taxes paid, which is more than what the Ontario Council for the Arts gives out, do you mind commenting on what your personal feelings are about the cutbacks the government is making and how they're affecting those people in the cultural communities?

**Ms Richards:** If we lived a few years ago and we lived in a perfect society, personally — and I think I speak on behalf of some of the artists — it would be wonderful to not worry where the next cent is coming from. In reality, we cannot expect that today. What we have done with our groups — we have over 40 member groups and we have 50 individual artists who are members of the Brampton Arts Council — and when we look at it, it represents anywhere from 3,000 to 3,500 people within that community.

We have done workshops to show them the opportunities — workshops on how to set up a corporate sponsor program, such as we have. It is indeed, sir, unfortunate that we don't receive maximum funding, but in reality, we cannot do that.

**Mr Gravelle:** Certainly there are many arts organizations whose survival is really threatened, the Thunder Bay Symphony as an example. A number of things bother me about it. One certainly would never think that any money should be spent frivolously in terms of government spending. I think we all agree on that.

The argument is very, very clear that it's not spent frivolously in terms of the funding that goes to the arts. Indeed, money is returned via taxes, money is returned in terms of dollars spent by consumers, and employment is obviously an extraordinary factor. I think people don't realize the number of people who are employed in Ontario just in the arts. What concerns me is that this government is always looking at things in terms of the economic value. I would argue that indeed the value of arts organizations and arts funding should be maintained rather than reduced.

If that is seen as being just spending money in a profligate way, I don't think that's fair because indeed the return is clearly there. I know that arts organizations are battling hard to keep it and I would think that those people who are involved with them would continue to make that argument. Do you think it's an argument the Ontario Arts Council should be making publicly and should be fighting for? As a member, would you make that argument, that indeed the return is clear, and the case can be made that if the funding does remain in a strong position, the value will be there from an economic point of view?

1020

**Ms Richards:** I understand where you're coming from. We've had some groups ourselves who've had a problem and the public came forth and rallied and provided the funds so they can continue. I don't think there's any doubt that the arts are a worthwhile sector, if you will, of

a healthy community. I don't disagree with that. I'm in the business and I know that's true. You can turn on your television and see people who say that people don't get involved or certainly don't watch the arts. Of course that's not so.

On one side of it, you're quite correct in that you're saying we need to help fund, but I question the procedure. I feel personally — this is a personal opinion — that art is a business and it is like any other business. You must look at cuts that are fair, that are adequate, that are equitable. You must make sure that you have the qualitative aspect of your particular program. We are trying to encourage our groups to feel that way, because it is. Even for an individual artist, it is a business. I feel that somewhere between that philosophy and certainly the help from the Ontario Arts Council, I would hope that if we sat down, we would be able to plan that out. There are two sides of the issue, I believe, sir.

**Mr Gravelle:** I think all arts organizations that have received any funding at all, whether it is from municipalities — and you're right, a lot of municipalities are getting out of that — recognize that and operate very much on that basis. My feeling in a general sense is, for example, that in a community like Thunder Bay, where we're trying to attract people to come and live in our community, to come and work there, the arts segment is an extraordinarily important part of that community.

**Ms Richards:** Absolutely.

**Mr Gravelle:** Having a symphony is a wonderful thing; having a professional theatre is a wonderful thing. I'm involved with a film society there. If you take those elements, among many other elements, away, I think you take the vitality away. You're right about the balance, but if you are pushing the organizations to a point where the community just cannot match it in terms of the contributions they're expected to make, either from a voluntary or a financial point of view, then I would argue strongly that government funding needs to be maintained in a very real way, because it does clearly have a proven return.

**Ms Richards:** Are you asking me a question?

**Mr Gravelle:** I guess it's a statement.

**Ms Richards:** I could go on and on, but I think you made a statement.

**Mr Rick Bartolucci (Sudbury):** He can't get one in the House so he's doing it here.

**Mr Bruce Crozier (Essex South):** We read at the time and we are told even in some of the research material that the arts community condemned the reduction in grants to the arts council at the time it was announced. How active were you, if at all, in condemning the government for its cuts at that time?

**Ms Richards:** We did not respond in letter form. I'm speaking on behalf of the Brampton Arts Council. We did not formally send in any written surveys of that type. What we did do, and we were encouraged by our MPP — it came together; parallel, actually — we had decided to have him join us either at a board meeting or an executive meeting and sit down so that we could tell him what we are doing and our thoughts. As I said, parallel to that, he made contact with us to come and sit and talk to us. We showed him how we were trying to be self-reliant. So I go back to the fact that we felt that, like



every other sector in the community, and particularly since it's your dollar and mine that goes into an organization such as the Ontario Arts Council, it needs to be looked at. We were not criticizing the decision at all; we just wanted to show him what we had done.

**Mr Crozier:** Is it fair for me to interpret from that that you did not condemn the reduction in grants?

**Ms Richards:** No, I didn't say — "condemn" is a very strong word.

**Mr Crozier:** Yes, but that's what happened.

**Ms Richards:** We did not condemn. We were trying to offer an alternative solution to show him what we have done within our very small organization, our philosophies.

**Mr Crozier:** As a representative of arts groups, which you are on a day-to-day basis, but as a member of the council, where would your energy be directed then when it comes to those who may condemn the reduction in grants?

**Ms Richards:** I believe it's an educational process. If you can get in there and you look at the situation — I cannot talk about the Ontario Arts Council's makeup, how they make decisions; you can't until you're at the table. Perhaps that's why I'm rather excited to get this appointment, because I find that it's always been difficult for me personally to make an opinion unless I know two sides of every story, and I would try to encourage the arts groups, I would try to go through an education, to show them other opportunities and avenues that they could find and try to see if we could all work together.

**Mr Silipo:** I have a number of questions. I want to come back to some of the points that you've been discussing with my colleagues, but let me just go back first to something that's on your résumé that interests me. You were a campaign manager in a municipal election. Could you tell us a little bit about that?

**Ms Richards:** I was a campaign manager for my husband, actually, and therefore highly interested in the results, I might add.

**Mr Silipo:** Did he win?

**Ms Richards:** He did indeed. He had a great campaign manager.

**Mr Silipo:** I can tell that from your business-oriented approach, and I want to come back to that point as well. I know that my colleagues around the table would be disappointed if I didn't ask you this next question, which is, are you now or have you ever been a member of any political party?

**Ms Richards:** Yes, sir, I have and it has certainly not deterred my ability to function reasonably in my career.

**Mr Silipo:** I wouldn't presume that it did. Which political party?

**Ms Richards:** The PC.

**Mr Silipo:** You are now a member of the PC Party?

**Ms Richards:** I am.

**Mr Silipo:** I wanted to come back and talk a little bit about the whole notion of how you see the arts community and the relationship between government and the arts. But let me just start that by asking — because I was trying to understand through the discussion that you've been having so far — what the relationship is between the Ontario Arts Council and an organization like the

Brampton Arts Council. It doesn't sound, from what you were saying, as if there is that much of a relationship in terms of funding or in terms of recommendations around how the Ontario Arts Council does its work. Could you talk to us a little bit about that?

**Ms Richards:** Each arts council in Ontario belongs to an organization called Community Arts Ontario, the same way that if you were an engineer you would belong to the professional group, if you were a doctor, etc. We have a lot of contact with that particular organization. As a matter of fact, this year we had a lot since Brampton was the host of this Community Arts Ontario conference which they hold. Members of course from the Ontario Arts Council staff and board attended, as they do. There is a close tie with the executive of that Community Arts Ontario, granted perhaps far more than would be on the individual arts councils themselves. Where we'd come in contact is we do put an application through for an operating grant and of course know the process and obviously are subject to the assessment process of the Ontario Arts Council. Certainly we get updates because it's the world we're in.

**Mr Silipo:** Is there any funding that flows from the Ontario Arts Council to the Brampton council?

**Ms Richards:** Yes, there is a small grant that has been given to us. We've been very, very fortunate to still remain. As I said, we don't know how long —

**Mr Silipo:** That's part of that \$100,000 budget that you referred to earlier?

**Ms Richards:** That's correct — \$7,000.

1030

**Mr Silipo:** I wanted to ask you to talk a little bit more about your notion of government responsibility in the field of the arts. You said earlier that you see art — I think you used the words — "as a business." I want to ask you to elaborate on that. When you say that, do you mean that art needs to be considered primarily a business or that there is a business aspect to the arts?

**Ms Richards:** Business aspect to the arts.

**Mr Silipo:** Okay. I feel much more comfortable with that because I'm not sure I've heard any artists disagree with that. I think they all understand that there is that sense. But let's talk a little bit about what you see as the role of government. We've heard about the funding cuts and the way in which the arts community has reacted and the case that has been made for that. Do you believe that there needs to continue to be a strong involvement by the government, including funding of the arts?

**Ms Richards:** You mean in giving out the funds? You don't mean operating or being involved in where the money comes from?

**Mr Silipo:** No. In providing funding, as the government does now, albeit obviously to a much less extent than they did in previous years through the Ontario Arts Council, not in deciding who should get the money but leaving that to be determined in the arm's-length way in which it is done. But do you believe there is a continuing role for the government to play in funding the arts?

**Ms Richards:** If the funds are there, sir.

**Mr Silipo:** If the funds are there. Then how would you go about determining where you prioritize spending for the arts against spending for other areas?



**Ms Richards:** If I was involved with the Ontario Arts Council, and I feel they are the folks who determine that funding to these groups, I would have to be in there to decide what —

**Mr Silipo:** I'm not asking you who you would give the money or what kinds of groups. I appreciate that you don't feel you have enough information to give us that kind of answer. I'm talking about in a broader way.

Let me put it this way. What I get from you, from what I've heard you say so far, is that you have a sense that it would be nice if government were able to continue to provide some funding, but that you don't really see that as an essential part of a government's role. Now I don't want to put words in your mouth, but that's the sense I get from what you're saying. If I'm wrong, please correct me in that.

**Ms Richards:** I'm speaking about the fact that we have to be self-reliant today. We are in real hard economic times, and I think we all have to become responsible, whether we're an individual artist, whether we're an arts organization, whether we're the Ontario Arts Council. I'm saying I think that issue has to be addressed first — perhaps not first but certainly along with. Look, for instance, at the municipal government. I'm not saying that we do not appreciate the money. We get core funding from the city, and yes, it's very appreciated, but we have to become self-reliant, sir. I think we have to —

**Mr Silipo:** What does self-reliant mean? Relying on whom for the money?

**Ms Richards:** We have to rely on ourselves in order to generate funding, to look perhaps — well, definitely — at other funding opportunities because we don't know how long the government will be able to support the arts.

**Mr Silipo:** So you don't see that even though an economic case can be made that if the government gets far more than its return by investing in the arts —

**Ms Richards:** Absolutely. No, sir, I'm not saying that at all. I'm saying the ideal on that is perfect but that these are hard times. Let's look at every avenue. Let's look at the money we do receive from the government, that what we can receive from the government is well spent.

**Mr Silipo:** So you've accepted the notion that these are hard times and therefore government needs to cut its spending?

**Ms Richards:** Yes.

**Mr Silipo:** It doesn't trouble you that government is cutting its spending not to reinvest in other services but simply to provide those of us who happen to be earning more and more money more in the way of tax cuts?

**Ms Richards:** I'd like to say, sir, that I'm saddened —

**Mr Silipo:** Do you know enough about the extent of the cuts that have been made so far, even crossing that first threshold and finding — I think you are saying you find acceptable within the present context the cuts that have been made. Among other things, it seems to me that the arts council and the community would argue that they certainly could not go any further without cutting now severely — I think they would say they've already cut severely into funding for artists, but that anything they could do, any further cuts now, would really cut severely

into funding for art as opposed to the administration of the council, all of those other things which, as far as we know, have been cut pretty severely already.

What would your reaction be if the government next year were to say there's going to be a further 10% or 20% cut to the funding to the Ontario Arts Council?

**Ms Richards:** We would have to adjust. We would have to go to the community. We would have to try to find other funding. We would look to the corporate business as we are doing now. I think we have to give some support in terms of workshops, emotional support, direction, pool our energy into management and to good business sense and to help our artists.

**Mr Silipo:** But you would accept the decision of the government.

**Ms Richards:** Of course I would, yes. My council would, yes.

**The Chair:** Mr Preston, you had a minute left.

**Mr Preston:** A fast little parallel here. I have the opportunity to invest \$1 and get back \$1.23 in an investment. At the end of the month I'm up to here in debt. Is it reasonable to go out and borrow more money to make this investment? I think we can all see the parallel.

**Mr Crozier:** Especially with income tax cuts.

**Ms Richards:** The way you're presenting it, sir, of course, it doesn't sound like a sound —

**Mr Preston:** Not a sound proposal, right?

**Ms Richards:** Actually it looks something like my home budget.

**Mr Preston:** Right.

**The Chair:** Ms Richards, thank you for coming before the committee and for providing the answers that you have.

**Ms Richards:** Thanks very much for the opportunity.

#### MARIE ASKIN

Review of intended appointment, selected by the third party: Marie Askin, intended appointee as member, Waterloo Region District Health Council.

**The Chair:** Ms Askin, welcome to the committee. I'm glad you're here. You've seen the process as it unfolds. If you wish to make any opening comments, please do so at this time.

**Ms Marie Askin:** I've brought a few notes with me. Thank you very much for the opportunity to attend here before you today. I am a nominee for the Waterloo Region District Health Council. My name is Marie Askin. In the short time I have with you here, I'd like to present you with a little bit of my background to assist you with your final decision.

I have been actively involved in health care since graduating from a paediatric teaching hospital in Montreal. My experiences encompass a variety of roles and responsibilities within the health care field and in different organizations. Throughout my career I have worked both on the front lines and in a variety of managerial positions in the acute care setting.

To name a few, I have been a staff nurse in neo-natal services, paediatrics and intensive care. I worked as a head nurse in an emergency department. I became an overall shift supervisor in our hospital. I was the associ-



ate director of nursing and eventually became the vice-president of patient services, which position I've held since 1981. My present responsibilities include direct patient care services as well as professional services such as rehabilitation, pharmacy, pastoral care, social services, and I manage a wellness centre as well.

The largest portion of my career has been spent working in the Kitchener-Waterloo community. During this time I have gained a broad working knowledge of the health care needs in our community. I have learned about the gaps in services that exist in our community and in our region. I have an appreciation of some of the changes that are required in the delivery of health care services. I have introduced changes in our organization that have led to decreasing our case costs and other efficiencies without compromising quality.

I believe that education is a lifelong learning experience and have continually pursued new knowledge and skills. It is my belief that I can make a significant contribution as a council member and as I represent the broad interests of our community. I believe I can achieve this by being involved in the decision-making required to face the major challenges that we have today and in the near future by also assisting in the development of the recommendations that will ensure that our region continues to enjoy the excellent health care that it has known in the past and to date. Now I would be pleased to answer any of your questions.

1040

**Mr Ford:** Good morning, Marie. Welcome. What are some of the local challenges with regard to health care that are unique to your community?

**Ms Askin:** Specifically, right now we have the restructuring that we have entered into discussions on and that is a major challenge. The whole physician issue is another challenge that we have to look at. There is a shortage, as you know, of medical specialists in our community and that's becoming a crucial issue for us to address.

**Mr Ford:** Question number two: Have you experienced a number of bed closures over the last four or five years in the Waterloo region?

**Ms Askin:** Yes.

**Mr Ford:** How many beds would you say have been closed in the last four or five years at any hospitals — closed or amalgamated as a result of these closures?

**Ms Askin:** I can't tell you the specific number of bed closures because I'm dealing with three acute care hospitals plus one chronic care institution. However, we have experienced bed closures in the past and the reason for that had to do with some funding constraints. We have managed to date to look at our systems in a different fashion and still maintain our quality. In spite of the fact that we have closed our beds, we have increased the volume of activity within our hospital itself and certainly others as well.

**Mr Ford:** What kind of activity would you say in this hospital?

**Ms Askin:** I'm thinking —

**Mr Ford:** Several hospitals have a number of floors closed, the beds. Have they increased the activity through the emergency ward?

**Ms Askin:** Both through the emergency ward and specifically within the inpatient care area. For example, we have managed to shift a large number of procedures into a day program or an outpatient program. That came about as a result of changes in technology. So there are a variety of incentives that we have implemented in order to decrease our length of stay, therefore the bed need did not exist after a period of time. We did make some alterations.

If I think in terms of the past, where a patient might have come in for a hip surgical procedure, they might have spent 10 days within the hospital. Today we can honestly say that they only spend five days in the hospital, and that's largely due to the technology and also the systems we have implemented as we deliver the care.

We have introduced care paths, and I'm not sure if you are familiar with that, but care pathing involves looking at the whole episode of care. The patient is managed throughout the system by someone monitoring on a day-to-day basis that the patient has received the appropriate tests, that they have had all the interventions they need in preparation for discharge, and the discharge is started on day 1 in preparation for day 5. That's an example of the efficiencies we've implemented within our system.

**Mr Ford:** So you've shown greater efficiencies then?

**Ms Askin:** Yes, we have.

**Mr Preston:** There's a feeling that the Waterloo Region District Health Council has been dragging its feet on the proposal to the health restructuring commission and, because of that, hospital executives have made out a report. Do you really feel the health council has been dragging its feet? Is it taking too long?

**Ms Askin:** I think there was some frustration, in fairness; however, I think the acute care working group has worked towards being involved with the district health council and now I think everything is under way and is moving very well. I have a feeling that we'll see some success as a result of that.

**Mr Bartolucci:** Marie, welcome. Understand that when I ask you these questions, they're coming from a very, very sensitive heart whose provincial government has devastated the community I come from because of the Health Services Restructuring Commission's report that doesn't reflect the local needs or the local desires. My questions will be very, very general about the Health Services Restructuring Commission but pretty specific about the Waterloo situation, because the commission is about to visit you, and I hope they don't wreak the havoc they've wreaked on Sudbury.

The DHC has a nominating committee, and this nomination committee puts forth names. That's the traditional way of appointments to the DHC. The government chose not to do that in Sudbury, to circumvent the system and put their own people in place, and once they had them in place, they turned on them and wouldn't listen to them. Are you a product of the nomination committee's process?

**Ms Askin:** Yes, I am.

**Mr Bartolucci:** Great. You have a great deal of experience in the health care community, and I respect you and thank you for that. I note also your Catholic Hospital Association involvement. I also read the report,



as Mr Preston did, and the hospital executives are suggesting that St Mary's Hospital goes. Are you in agreement with the hospital executives that the St Mary's site should be closed?

**Ms Askin:** Let me start off first of all by saying that I don't see this as a religious issue.

**Mr Bartolucci:** I'm not getting into it. I'm not saying Richard the Crusader.

**Ms Askin:** No. I'm in agreement up to a point. I'm in agreement with the closure only if we can deliver the services within one acute care facility and that's possible. I think at the moment what is going on is a study to try and determine whether the facility that the services will be delivered to will manage all of the activity that we presently have at St Mary's.

If that's not so, I think we will have to relook at our decision. I think there's a key component in this whole region itself. When you're dealing with three acute care hospitals, there are some possibilities that can be achieved, but certainly within two acute care hospitals, the possibilities are not quite as great, so I would see, with Cambridge's involvement in acute care as well, that there are major possibilities, because we all have some beds closed and we are all facing the 18% cut. I think that there's something that can be done within that region at this point.

**Mr Bartolucci:** That's a very honest answer, and I really, truly appreciate it, because I think what you're doing is really reflecting what the community is saying.

How long has your community been gathering the information for the DHC report? Mr Preston says, because he read one sentence in the second-last paragraph that indicates that the hospital executives thought that the DHC report was moving too slowly, but I think it's important that we get a time figure. How long has the DHC in your area been working on the report to get it right?

**Ms Askin:** To my knowledge, they began about 18 months ago, and there were various consultants involved in that process, and one particular group was called the Hay group. They were doing a gathering up of statistics and volumes and population projections and a variety of those stats, geographical, demographics, so they were busy doing that.

What was not done and where we're at today is whether the facilities can manage the volumes that we anticipate in 1999 and then again in the year 2004. That's the part of the puzzle that needs to be completed, and that's why we're studying that at this point.

**Mr Bartolucci:** And time needs to be taken. I think that's what you're saying.

**Ms Askin:** Definitely.

**Mr Bartolucci:** In order to get it right, time must be taken. You know, there are so many parallels between your situation and Sudbury's situation, it's amazing. The Health Services Restructuring Commission, as I read, is going to come into your area next fall. They're going to spend approximately three days and they're going to formulate their own conclusions. Do you believe they should disregard what the community says in their final recommendations?

**Ms Askin:** I think they should listen very carefully to the community. I think there are gaps in services, which

I mentioned earlier. There are certain needs that are being expressed at the moment. I think the commission needs to listen to that because we are underserved in some areas. I mentioned the specialist problem as a major issue. Cancer care has been very low within our community. We have a lot of gaps in services as it relates to cancer treatment. In cardiology, as an example, we will wait about six months in order to get into London for cardiac catheterization. Long-term care needs to be addressed in a major way in order to effect some of the changes that are required in the acute care setting. Until long-term care is addressed, I think we're going to have some struggles with that. But that appears to be coming forward and there are good suggestions being brought forward how we can do that.

1050

**Mr Bartolucci:** Three very short questions. Should the PDST model be used all across Ontario — northern Ontario, your community, southwestern Ontario, central Ontario? Does it work? I guess a simple yes or no. I know it's more complicated than that, but you have years of service. You know.

**Ms Askin:** I think the PDST tool may be the best tool possible at this point in time in order to measure and monitor that kind of thing. The Hay group also has used its own tools, and I'm not sure what they were, but they are very closely related and they come out with similar answers. I have no discomfort around saying that the PDST tool does not work. That's the best measurement we have today.

**Mr Bartolucci:** Thank you for that frankness. Second, would you be disappointed if the Health Services Restructuring Commission recommendations were significantly different from the DHC's recommendations?

**Ms Askin:** Yes, I guess I would.

**Mr Bartolucci:** Probably the most important question before I cast my vote is: As a member of the DHC, will you fight for your community after the Health Services Restructuring Commission's report comes out and you're not in agreement with it?

**Ms Askin:** This I see as my role: to meet the needs of our community.

**Mr Bartolucci:** Thank you so much. Good luck.

**Ms Askin:** Thank you.

**Mr Tony Martin (Sault Ste Marie):** Having read your résumé, as the member from Sudbury says, you obviously come to this job very well-qualified, very knowledgeable and with lots of experience. However, the whole issue of health care has become a very political issue in the last while and has become quite a hot potato in probably every community across the province as the government struggles with its finances and as people in communities struggle to make sure that they have the health care they need to look after themselves and their families and their friends. What's your understanding of the role of a district health council?

**Ms Askin:** I see the district health council in a facilitation role. I feel that they can facilitate much of the process. Whether that always happens is beyond me. I haven't been on a district health council before so I really can't say, but I see their role as being key in terms of facilitating some of the decisions that need to be made



and also to make some recommendations to the minister about what health care services are needed as well as the gaps in services.

**Mr Martin:** Certainly the role of the district health council is changing at this particular point in time, and some would suggest away from the original intention. The district health councils, when they were first set up by Frank Miller back in the early 1970s, were to hear from the community. It was a voice from the community. It was community representation and involvement in decisions around what services needed to be delivered and how they should be delivered, how they would best meet the need of that particular area. We have a situation now where what services need to be delivered and how they're to be delivered are being decided by this restructuring commission, mind you, with input, although, as the member for Sudbury suggested, not much input; as a matter of fact very little input, it seems.

So there's a tug and a pull here. District health councils who stand up to the government re what it wants to impose as opposed to what the community has decided is in its best interests get replaced. We had a prime example of that before this committee not so long ago where the executive director and the chair of the Manitoulin-Sudbury District Health Council came and challenged the process of replacing people to that district health council and some of what they saw as the decision-making that was going to happen re their area. Because they stood up and spoke very eloquently and clearly on behalf of the people of the Sudbury and Manitoulin area, they lost their jobs. The executive director of that district health council is unemployed now and the chair and most if not all of that district health council are gone.

It seems that at this particular point in time, there's the agenda of the government and there's the aspirations of a community to have the best of health care service for its people. If it came down to that kind of a decision-making process for you as a member of the Waterloo Region District Health Council, what side would you come down on?

**Ms Askin:** I still have to speak to the side of my community. I have no qualms about that. I have worked in health care long enough that I know what is missing, I know what we need and I would argue strenuously for it.

**Mr Martin:** Who's your local member of provincial Parliament?

**Ms Askin:** Ms Witmer and also Wayne Wettlaufer and Gary Leadston, who's not here today, and whoever. I'm not that political.

**Mr Preston:** And Peter Preston. Everybody's got a chunk of that area.

**Mr Crozier:** You certainly have a burden to carry now.

**Interjection:** But four wonderful people.

**Mr Bartolucci:** Just mixed up.

**Ms Askin:** Obviously, I'm not a card-carrying member.

**Mr Martin:** Of course, the big issue in your area is the hospital restructuring at the moment and the focus at the moment seems to be on the question of St Mary's. I probably know your answer, but I'm going to ask it anyway, because Wayne Wettlaufer has spoken actually

in committee and in the House on behalf of his constituents on this issue very clearly and I think very courageously to oppose the closing of St Mary's. He brought in a petition yesterday of 50,000 names to the House that he signed himself opposing the closing of St Mary's Hospital, just closing it as opposed to working out some other arrangement. I know in Sault Ste Marie we've worked through what sounds like somewhat the same process that you have so far in trying to figure out who does what and streamlining but retaining the involvement of St Mary's and all that means for your area. Wayne says he has another 40,000-person petition that he's going to bring in in the next week or two.

With that kind of popular sentiment on that issue, where do you stand and what will be your position as a member of the district health council?

**Ms Askin:** I think what's being lost in this whole issue is the fact that no one has indicated that St Mary's was going to close. The study is what was being done and I think that's what's being proposed. So to date, St Mary's is not closed or closing; that's not what was being proposed. I think we have to study whether we can manage these services in one institution, so once they get to negotiating who will do what — and I think that's where it will develop after the fact. I've worked at St Mary's for a long time, so I think I have a personal investment, yes, in St Mary's Hospital, but if the needs of the community are going to be jeopardized by the 18% cuts, then I have to think in terms of how I want to see the dollars allocated within our region, as opposed to within St Mary's Hospital itself.

1100

**Mr Martin:** I agree that's certainly an intelligent approach to this whole question. But what if, at the end of the day, as they did in Sudbury, the government decides in its wisdom, through the restructuring commission, to downsize to a point where, in your mind and in the minds of the people that you live with out there, services are going to deteriorate and quality of service is going to diminish? What then would be the role of the district health council, and how vociferous do you think they should be in standing up to this government in front of them?

**Ms Askin:** I can't answer for the rest of the district health council members, but I can certainly answer for myself. I would say that we would have to stand up very strongly, and part of the reason why I would like to serve on the district health council today is because I know some of the ways we can achieve. Even if we have to close St Mary's, I know how we can achieve it. So I hope that the commission is in agreement. I'm hoping that's what would happen. I will not stand by and watch the quality affected; I will not stand by and watch accessibility being impacted upon. The efficiencies have to be there too, but we have to do this differently. This system has to operate differently today.

**Mr Martin:** What's your position on religious groups running hospitals?

**Ms Askin:** I have no feelings one way or the other. I think religious groups bring values, and that's not saying that others don't bring a certain set of values to the delivery of health care. People think of our hospital



particularly as being a Catholic hospital, but we serve all ethnic groups, we serve all religions and we have an ongoing involvement with the Jewish population, with the multicultural faiths. We try to meet their needs. We have committees that address those needs so I don't think in terms of Catholic or denominational health care; I'm thinking about health care just in general.

**Mr Martin:** You may be aware that particularly with the closing of the Catholic hospital in Sudbury, there is a large concern beginning to rise up in the Catholic community among the hierarchy and among the people themselves. How do you propose to deal with that, and is that legitimate?

**Ms Askin:** I don't think it's legitimate to start saying that health care is going to be Catholic oriented or oriented through any other denomination. I think it's the health care needs that have to be addressed, and that's my personal feeling about that. I just can't cloud the issues with that. There are major issues involved here in trying to deliver health care in the first place and it doesn't encompass the other.

**The Chair:** Ms Askin, thank you for coming before the committee and in particular for your frank and very thoughtful responses to the questions. We appreciate it.

That completes the intended appointments review. We move now to the concurrences part of the agenda.

**Mr Bob Wood:** I move concurrence in the intended appointment of Marnie Richards.

**The Chair:** Anyone wish to speak to the motion? Oh, indeed.

**Mr Bartolucci:** I'm not going to support the appointment of Marnie Richards. Let me tell you why. I think we should draw a comparison between Marnie and Marie today because it's the perfect opportunity to do so. We have two intended appointees with completely different agendas. Marnie's agenda is to bow down to the government and carry through on the government's so-called commonsense agenda at any cost.

LUMAC, the Laurentian University Museum and Art Centre, is fighting for funding. It has been funded in the past by Laurentian University, but they can't afford it because of the cuts they've undergone. It has been funded by the public at large in cooperation with Laurentian, but they can't fund it entirely. If it was Marnie's decision as a member of the Ontario Council for the Arts, she would say, as she answered Mr Silipo, the bottom line is money, and our valuable centre would close.

I want somebody who's an advocate, like Marie Askin, who will fight the agenda if she doesn't agree with it. I don't see that happening with Marnie. I want an advocate like Marie, not a puppet, as I consider Marnie's appointment to be.

**Mr Crozier:** I'll be brief, but I too will not be supporting this appointment and I want the opportunity to explain why. I think Ms Richards is very well qualified for the position to which she's going to be appointed, but the further she went along in conversation the less I felt she was being appointed to the proper place. She should be somewhere on a committee and/or with the government that's opposed to the very council she's being appointed to. I don't think she will be an enthusiastic

supporter of some of the areas with which the arts council has to deal.

She made recommendations, and I think valid ones, that many areas of the arts should be out finding new ways of funding and finding private funding. Well, they should have been doing that even before the crunch came. I think to some extent you have to be an advocate when you're on a council such as the Ontario Council for the Arts, and I don't think she would be. I agree with my colleague that she would simply think it's a fait accompli and there's no point in being an advocate for them in the sense that I think she should be. So although she's very well qualified in the field, I won't be supporting her appointment.

**Mr Martin:** I wasn't here for the complete interview, but Mr Silipo in leaving said that he would not, if he were here, be supporting this appointment, I think for all the reasons that my Liberal colleagues have put on the record.

**The Chair:** Is there any further debate on the concurrence motion? Are you ready for the question? All those in favour? Opposed? Carried. Thank you for that.

**Mr Bob Wood:** I move concurrence in the intended appointment of Marie Askin.

**The Chair:** Any debate on Marie Askin?

**Mr Bartolucci:** I was very, very impressed with Marie. Here's a person who has committed herself to being a health care provider, who very shortly will take all that positive energy that she has spent years helping people translate into community support, and then the Health Services Restructuring Commission is going to come in, not listen to her, make their own agenda and their own report and she's going to fight for the community and it's going to be fruitless. We're going to have this very positive person, this very dedicated person, at the end of the whole process being very sour on the government's agenda. It's my prediction, but I only wish all the intended appointees who came forward to this committee were as dedicated to their cause as Marie is. I will certainly be supporting this appointment.

**Mr Martin:** If Marie lives up to the presentation that she made here today, and she presented very clearly and positively, and her position coincides with the original intent of district health councils, she will, as will all her colleagues on that district health council, be challenged to the depth of her being over the next number of months and years to protect health care for the people of her area.

If she acts in the way she says she will in the interview this morning, and I have no reason to believe that she won't — this is quite a challenging place to present — she came here undeterred and unafraid re her position and what she thought and how she felt. I was impressed and will be supporting her appointment to the Waterloo Region District Health Council.

**The Chair:** If there is no further debate, are you ready for the question? All those in favour of this appointment? It is unanimous. Thank you for that.

Before we adjourn, in another week we'll be into November, and if committee members want to deal with an agency, board or commission in the winter break, January and February, you might want to think about that. We'd have to call the subcommittee together — stop



shaking your heads already — for a meeting when that happens. If you decide you do, let me know and I'll call a meeting of the subcommittee. There needs to be time, if you do decide to call a commission or a board, for people to get ready for it as well, to be fair to them.

**Mr Bartolucci:** We hope it won't be an inconvenience, because we hope the House will still be sitting during January, February and part of March anyway, because we want to slow down this mean-spirited agenda of the government.

**The Chair:** Well, this is news to me, but that's great. Imagine being here all of January and February.

**Mr Bob Wood:** The only thing I would add to what you said, Mr Chair, other than to endorse it is that you might want to call the subcommittee meeting immediately after one of the committee meetings.

**The Chair:** Okay. Let me know in the next little while if you've got something in mind. Anything else? We are adjourned. Thank you very much.

*The committee adjourned at 1113.*











## CONTENTS

Wednesday 23 October 1996

<b>Intended appointments</b> .....	A-505
Ms Marnie Richards .....	A-505
Ms Marie Askin .....	A-509

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

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- \*Mr Bruce Crozier (Essex South / -Sud L)
- \*Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
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- \*Mr Michael Gravelle (Port Arthur L)
- Mr Bert Johnson (Perth PC)
- Mr Peter Kormos (Welland-Thorold ND)
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- \*Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- \*Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

- Mr Tim Hudak (Niagara South / -Sud PC) for Mr Bert Johnson
- Mr Tony Martin (Sault Ste Marie ND) for Mr Silipo

**Clerk /Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service



A-31

A-31

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of Ontario**

First Session, 36th Parliament

**Assemblée législative  
de l'Ontario**

Première session, 36<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Wednesday 30 October 1996

**Journal  
des débats  
(Hansard)**

Mercredi 30 octobre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues

Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 30 October 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 30 octobre 1996

*The committee met at 1002 in room 228.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The standing committee will come to order. The first order of business is the report of the subcommittee dated Thursday, October 24.

**Mr Bob Wood (London South):** I move the adoption of the subcommittee report.

**The Chair:** The report of the subcommittee is attached. Are there any comments or debate about Mr Wood's motion?

All in favour? Opposed? It's carried.

## INTENDED APPOINTMENTS

## GUY CAVERSON

Review of intended appointment, selected by third party: Guy Caverson, intended appointee as member, Regional Municipality of Sudbury Police Services Board.

**The Chair:** Mr Caverson, if you want to have a seat at the table, we welcome you here. It's always good to have a Sudburian come down and appear before the committee. It's a tradition that you have the opportunity to say a few opening remarks if you wish to; you don't have to. Then we rotate and ask you questions.

**Mr Guy Caverson:** My name is Guy Caverson, as announced by the Chair, and I am a proposed appointee to the Regional Municipality of Sudbury Police Services Board.

I was born and raised in Sudbury. I have a few brief opening remarks. I don't have a prepared delivery; I'd rather do it in a candid manner. I was educated at St Charles College in Sudbury and obtained my undergraduate degree at McMaster University in commerce and administration, subsequently obtaining my accounting degree.

I worked for quite a number of years for the province of Ontario in a number of different ministries: Consumer and Commercial Relations, the Ministry of Housing, Ontario Housing Corp, Sudbury District Housing Authority. My last position with the government of Ontario was as commissioner of the Residential Tenancy Commission, where I was charged with the responsibility for adjudicating public hearings under the Statutory Powers Procedure Act.

I left that posting in 1986 to return to private practice with then Thorne Ernst and Whinney Chartered Accountants. Our firm changes its name as quickly as the weather changes in Ontario. I left the firm after starting a land development business in the Walden area, Nickel Belt

riding. I found that throughout the years we made a big commitment to the community.

I look forward to an opportunity to serve on the police services board. I believe I have a solid background in finance and administration. I noted from my research that none of the members presently sitting on the Sudbury Police Services Board has an extensive financial background. I think that will be an asset to the board in and of itself.

I look forward to any questions the committee might have this morning.

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Mr Caverson, and welcome to this committee. I have a question here — I have a couple of them, actually — and I'll just read them off to you.

I see from your résumé that you are a volunteer with the Sudbury Regional Police/OPP sober driving program. Would you tell this committee about your work on this project and the impact it's had on your community?

**Mr Caverson:** Initially the regional police, in conjunction with the Addiction Research Foundation, adopted a program to reward people who were driving with the absence of alcohol in their systems. They elected to run an ad campaign as well as a television commercial and to reward drivers who were stopped at what were then known as spot checks with a licence folder. They asked me to be, let's say, the sober driver for the commercial at that point in time.

Subsequently, the Addiction Research Foundation, with the OPP and the regional police, launched a separate program where they took it to snowmobiling. They asked me again if I would be one of the designated snowmobile operators, and at that time I actually provided funding for the production of the licence folders.

I think that program in and of itself has really worked well in Sudbury. People would actually drive around looking for a spot check to get a free licence folder. I think they thought it was a get-out-of-jail-free card, but it wasn't, obviously, intended for that. It was a good program to be involved with. I thought it would benefit the community. Since then, my family has been touched by accidents involving drinking drivers. I was happy that I was in before the occurrence. Unfortunately, it didn't eliminate the tragedy that followed.

**Mr Ford:** So it's shown results.

**Mr Caverson:** Yes, it has.

**Mr Ford:** I've got one more question. Could you please tell the committee, are there some unique aspects to policing in Sudbury? Are there some specific regional concerns within Sudbury that you know of?

**Mr Caverson:** Yes, I believe there are a couple. Sudbury has a large geographic land mass. It's difficult



to police. The regional municipality of Sudbury has eight satellite police stations. Response times sometimes can take a long period, particularly if vehicles are centred in one area of the region.

The other thing that impacts on the city is that we presently take overload from Toronto and other Metro jails that is placed in Sudbury's maximum security installation right in downtown Sudbury at the courthouse facility. A concern is that people who come there to serve their time often receive their bus pass and their meal allowance when they're done, but they don't leave. We're actually importing some of the crime that you've probably read the chief of police is concerned about. Those are issues.

Separately, I know we should probably be looking at, and the Regional Municipality of Sudbury Police Force is actually looking at, a search-and-rescue program, because we've had situations where searches take place. We have a relatively hostile climate. It doesn't allow you half a day for response times. If you don't have people mobilized and out there in a hurry, you could have lost hunters, blueberry pickers in severe jeopardy.

**Mr Ford:** So it's a very serious problem.

**Mr Caverson:** I think so.

**Mr Peter L. Preston (Brant-Haldimand):** I just have one question. Something I'm very interested in is Bill C-68, the Firearms Act. Our minister, Minister Runciman, feels that it won't keep weapons out of the hands of criminals. I'm of the same opinion. The great cost to administer the smuggling problem is going to overwhelm us. First of all, is there any concern in your area about this? How do you feel about it?

**Mr Caverson:** Bill C-68 addresses a number of issues, one being the safe storage of firearms. I have read and followed what the minister is doing, as well as the other four provinces that intend to launch the constitutional challenge under the Constitution Act.

Personally, it concerns me from one perspective, primarily in who's going to police it. Is it going to take officers off the road who will be addressing someone's residence three hours a day, five hours a day? What's the cost going to be?

I know with respect to smuggling it's a federal issue. The borders of the country are federally mandated and federally monitored. It's very possible that Bill C-68 is an attempt by the federal government to download the cost of policing in Ontario for its own borders on to the Ontario government.

1010

The issue could be one that has to be addressed very carefully. I know that locally we are a large, rural community. There are a lot of people who do the natural thing up there, which is hunting or fishing or the like. I think a good number of people see it as an intrusion to personal privacy, property rights. I know the Ontario Association of Chiefs of Police has endorsed Bill C-68, or at least they did in its infancy. I don't know if that was just political; I couldn't really tell you.

I personally would look at it very cautiously from an expenditure viewpoint and an actual practicality viewpoint. I don't know how effective it can be because I don't know too many criminals who actually could get an

FAC today or would retain one after being dealt with by the justice system.

**Mr Rick Bartolucci (Sudbury):** Good morning, Guy. Welcome. You should have phoned me last evening; we could have gotten together. Guy is a former student of mine, and this is as close to a conflict of interest as I'll ever have with a Conservative appointment. But let me tell you, Guy, I ask the same two questions of every Sudbury appointee, because they are of critical importance to me. Are you hard of hearing?

**Mr Caverson:** No, sir.

**Mr Bartolucci:** I refer to it because Ray Poratto had a great deal of difficulty hearing the questions of the New Democratic Party and the Liberal Party. We wouldn't want you to have to go through that, because we could rearrange the seating here.

The second question is, after this appointment, do you plan on getting so fed up with this government that you're going to leave the country?

**Mr Caverson:** No, sir.

**Mr Bartolucci:** Because that's what happened with another appointee who was appointed to a commission here. He decided to go back to school in Ireland and pursue his career in Ireland. We truly miss that individual, and you know who I'm talking about, because he was a valuable member of the medical community.

Having asked those two questions and knowing that you don't have any problem hearing our questions, let me just ask you a very few questions related specifically to the impact of pending legislation on our community and your reaction to it as a member of the police services board. That has to do with Bill 75, the VLT legislation. Are you in favour of VLTs?

**Mr Caverson:** At this stage, I don't have enough information on which to make an informed opinion. There is an issue with respect to the video lottery terminals, but I am reluctant to express an opinion. I like to have the facts before me. There are a couple of words that don't exist in my vocabulary: "assume" and "can't." But I would take a hard look at them, because it's like anything else that you bring on in this country. We've moved ahead rather rapidly with casinos. They're the next onset. I think it's something that the chief and the regional police service in and of itself would be very interested in looking at and taking a hard look at.

**Mr Bartolucci:** That's a fair answer. I'm sure a member of the third party will follow up on questions regarding VLTs.

Let me talk to you a little bit about the city's resolution that was passed regarding video lottery terminals. Are you familiar with the city's recommendation to the province?

**Mr Caverson:** No, sir, I'm not.

**Mr Bartolucci:** Would you be in favour, as a member of a police services board, of supporting a resolution passed at city council which would require that if VLT legislation takes place, a percentage of the money obtained locally be given to the police services board for education, for monitoring and enforcement, and if necessary the hiring of additional officers to ensure that the level of crime in a community isn't enhanced because of this legislation?



**Mr Caverson:** I wouldn't see any problem with trying to make sure that funds generated in the north remain in the north. I think I'd be a proponent of that whether it was lottery terminals or a toll road.

**Mr Bartolucci:** Then you would be in agreement with the city's recommendation to ensure that a portion of that money remains with the local police services board.

**Mr Caverson:** I don't see that it would be inappropriate.

**Mr Bartolucci:** Do you also agree with the city's resolution that they not be put into licensed establishments or bars?

**Mr Caverson:** Without having detailed information on how they will operate, how they will be monitored, what kind of security implementations will be necessary, just off the top of my head I'd say you're going to make money off these things. People are going to play these video lottery terminals with large amounts of money in their pockets or with small amounts.

I don't know what the impact is on the owner of a bar. There are issues with regard to alcohol liability. Are people operating these machines of games of chance responsible when they're consuming alcohol? Are they capable of making the decision to part with \$200 or \$300 of their hard-earned money which otherwise might put food on the table for their families? It's a difficult question that I would reserve opinion on until I have more information.

**Mr Bartolucci:** I think your opinion suggests exactly what I wanted the committee to find out about you. I'll be supporting Guy's nomination because I know him to be a very individual thinker. I'm going to talk to the committee about the composition the three appointees will bring to the Sudbury Regional Police Services Board. You all know how seriously I take police services board appointees; I was a former member of a police services board and took the job very seriously.

I don't often praise the government for making wise choices when it comes to intended appointees or appointees. I'm not in favour of Ray Poratto and the style he brings to anything. I'm not in favour of your appointments to our northern Ontario heritage fund because they didn't bring the concerns that certainly Sudbury has with regard to the north.

I want you to understand that in his answer Guy speaks very much for the north and that the three people you've appointed to the police services board in Sudbury bring a very unique style. Jeanne Warwick is a businessperson in Sudbury who brings a great deal of business sense to that board. Her appointment wasn't challenged by us because it was a good one. Paul Stopciati is their second appointee and he's very close with the chief and the deputy chief. I see that as being very important as well, because there has to be that type of member on a police services board.

Guy is a very independent thinker who will bring a very unique approach to the board. He will be quite vocal in his positions and ideas. Without answering he has already disagreed with the government and the government's direction. I think that's going to happen more and more because I believe him to be very concerned about the community and about policing. I know that because

we shared a property together. Actually, our camps were beside each other and we talked at length about policing in Sudbury several years ago.

His family and mine are very good friends. I don't know what happened to Guy, but I could always count on Mr and Mrs Caverson to put a sign on their grass when I was running as an alderman or as regional councillor. Guy decided he would pursue his political career in a different way and is president of the Sudbury PC association, and I'm sure that will be questioned or commented on later.

**The Chair:** Mr Bartolucci, you shouldn't worry so much about it. He lives in my riding.

**Mr Bartolucci:** I know, and he also invites grandchildren of the Chair to birthday parties.

I just want to ask one question in closing, because I will be supporting your appointment: Will you allow your political bent ever to interfere with your role as a police services board member?

**Mr Caverson:** Absolutely not.

**Mr Bartolucci:** Thank you.

1020

**Mr Peter Kormos (Welland-Thorold):** I don't know a lot of people who know you, but those who do have spoken highly of you. I anticipate, on behalf of this caucus, supporting your nomination as well. I don't know for the life of me why you wouldn't have put down under volunteer experience your role as president of the Conservative riding association?

**Mr Caverson:** Yes, that's correct.

**Mr Kormos:** For the life of me I don't understand why you wouldn't want to include that in the list of volunteer service.

**Mr Caverson:** When I applied I didn't think I had much of a chance of making it to the police services board. I pulled an old résumé. I thought there was enough that was substantive and dealt with the material facts of my background that would make it relevant. I also anticipated that I would be asked if there was any political affiliation.

**Mr Kormos:** Besides, I guess the people to whom it was important would know anyway, right?

**Mr Caverson:** I believe so.

**Mr Kormos:** You put down under volunteer experience Ontario Federation of Anglers and Hunters. What type of work do you do with them?

**Mr Caverson:** I'm just a member. I contribute \$25 or \$50 a year, \$100 a year in annual dues. I was involved, this would be a long time ago, with the Sudbury Game and Fish Protective Association. I attended meetings and that kind of thing.

**Mr Kormos:** That would be under memberships as compared to volunteer work. Fair enough, and similarly for the Sudbury Game and Fish Protective Association?

**Mr Caverson:** They are one and the same.

**Mr Kormos:** So you're a member of these organizations.

**Mr Caverson:** Yes.

**Mr Kormos:** And the Trail Plan Association?

**Mr Caverson:** In its infancy I was avidly riding snowmobiles and involved with the Border Dill Snowmobile Club, the building of its trails and contributions in



that regard. They also approached me to be the auditor of the Sudbury Trail Plan Association.

**Mr Kormos:** Okay, fair enough. Auditor.

**Mr Caverson:** I was not the auditor. I suggested to them they should be cautious about making millions of miles of trails. That ended up forcing the fees from \$50 to what is now \$130. Maintenance goes up every time you increase a kilometre of trail.

**Mr Kormos:** I was interested in what you had to say because you included volunteer experience with the Sudbury Regional Police/OPP/ARF Sober Driver Program and Safe and Sober Snowmobiler Program. What was your role with these again?

**Mr Caverson:** I was involved in fund-raising for the initiation of the program. I also volunteered to participate in the video production of it.

**Mr Kormos:** Oh, I see, when you were the designated driver, this was in a video.

**Mr Caverson:** Yes.

**Mr Kormos:** I'm not suggesting you had to act to be the sober driver, but it was an acting role.

**Mr Caverson:** I guess you could call it that.

**Mr Kormos:** I just asked because they're under volunteer experience and I wanted to put them into context.

You indicate you completed post-graduate courses at Laurentian University. Was it a master's program?

**Mr Caverson:** Yes, it was.

**Mr Kormos:** But you didn't get the master's.

**Mr Caverson:** I didn't finish it, sir.

**Mr Kormos:** Did you specifically seek the position on the police services board?

**Mr Caverson:** Yes, sir. I applied.

**Mr Kormos:** Because of the ad in local newspapers?

**Mr Caverson:** No, sir. The reason I applied is that I have a fair amount of time available to myself by virtue of being, I suppose the expression is, successful in business. One day a police officer pulled into my driveway. He was on routine patrol in our neighbourhood. We were chatting in the driveway when a call came from the communications centre to his vehicle. As he picked up the radio to respond he couldn't get back to them. They couldn't hear him talking from my driveway in Walden to downtown Sudbury. On that day I asked him: "What's wrong with your radio? Isn't that the new one?" He said, "Yes, it is." I said, "Didn't that cost you a million or so dollars?" He said, "Yes, but it's not working that well." I said, "You might use a can and a string; it might be a lot better," because he couldn't communicate with them.

I'm a licensed amateur radio operator. I have a licensed amateur radio station. I thought at that time if ever an opening had come up on the police services board I would like to have been there when they bought this radio station because I could have asked them: "How many towers are you getting? How many repeaters? What kind of power generation do they have? What kind of reception? Where are they going to be located?" I understand that now they have to install a new tower to make this radio system, which cost a lot of money, work.

I thought it made sense, when there was an opportunity made known to me that the board had a position or two

open at the time, so I followed up on it. I thought that's one thing that would be —

**Mr Kormos:** Sure. The material we get, which is rather sparse, says that the vacancy was advertised in the local newspapers. But it wasn't in response to it that you submitted your application.

**Mr Caverson:** No, sir. I was just made aware through the riding association that there was a vacancy on the police services board.

**Mr Kormos:** Oh, through the riding association.

**Mr Caverson:** Yes, that's correct.

**Mr Kormos:** Why not?

**Mr Caverson:** Exactly.

**Mr Kormos:** Thank you, sir.

**Mr Gary Fox (Prince Edward-Lennox-South Hastings):** I have a question. I'd like to know if Mr Bartolucci was on that police services committee when this radio equipment purchase —

**Mr Bartolucci:** May I answer, Mr Chair? I wasn't, but do you know who was the chief at the time? The Progressive Conservative candidate in Sudbury was Richard Zanibbi. Mr Fox, again your party shows its bad business practices by spending how many? Wasn't it \$1.6 million?

**Mr Caverson:** It was a million and something.

**Mr Bartolucci:** On a police communications system that doesn't work, approved by the PC candidate for the riding of Sudbury, who was unsuccessful and ended up in third place. Thank you.

**The Chair:** The committee will understand that neither Mr Fox nor Mr Bartolucci is an intended appointee here this morning.

Mr Caverson, I thank you for coming before the committee and responding to the questions.

**Mr Caverson:** Thank you, members of the committee.

**Mr Preston:** Thank you, sir, for using the education you received towards making the proper decision.

**Mr Bartolucci:** We always told him to be very community-minded and involve himself in the community, and Guy has always done that.

**Mr Preston:** You did an excellent job, sir.

**Mr Kormos:** But you screwed up on the political background.

**Mr Bartolucci:** His sister is still working on him.

**Mr Preston:** He took the great experience that was given to him and made the proper decision.

**The Chair:** Besides, you don't know which sign he puts on his lawn these days.

Okay, we're open for business. Mr Wood.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Caverson.

**The Chair:** You've heard the motion. Is there any debate on Mr Wood's motion?

**Mr Bartolucci:** Just a point of clarification, Mr Chair: It wasn't the official opposition who asked the intended appointee to appear as a witness; it was the third party, and I'd just like to make sure that's on the record.

**The Chair:** Are you ready for the question? All those in favour of this appointment? Opposed? Carried unanimously.

Any other business for the committee? If not, we're adjourned.

*The committee adjourned at 1028.*





## CONTENTS

Wednesday 30 October 1996

<b>Intended appointments</b> .....	A-515
Mr Guy Caverson	

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)  
**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

\*Mr Rick Bartolucci (Sudbury L)  
Mr Bruce Crozier (Essex South / -Sud L)  
\*Mr Ed Doyle (Wentworth East / -Est PC)  
\*Mr Douglas B. Ford (Etobicoke-Humber PC)  
\*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)  
\*Mr Michael Gravelle (Port Arthur L)  
Mr Bert Johnson (Perth PC)  
\*Mr Peter Kormos (Welland-Thorold ND)  
\*Mr Floyd Laughren (Nickel Belt ND)  
Mr Gary L. Leadston (Kitchener-Wilmot PC)  
\*Mr Dan Newman (Scarborough Centre / -Centre PC)  
\*Mr Peter L. Preston (Brant-Haldimand PC)  
Mr Tony Silipo (Dovercourt ND)  
\*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

Mr John L. Parker (York East / -Est PC) for Mr Leadston  
Mr E.J. Douglas Rollins (Quinte PC) for Mr Bert Johnson

**Clerk / Greffière:** Ms Donna Bryce  
**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

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Government  
Publications



A-32

A-32

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 6 November 1996

# Journal des débats (Hansard)

Mercredi 6 novembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
Greffière : Donna Bryce



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LEGISLATIVE ASSEMBLY OF ONTARIO  
STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 6 November 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO  
COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 6 novembre 1996

*The committee met at 1000 in room 228.*

SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The standing committee will come to order, and we'll proceed with our morning's business. The first item on the agenda has to do with the subcommittee report.

**Mr Bob Wood (London South):** I move adoption of the report of the subcommittee.

**The Chair:** You've heard Mr Wood's motion. No debate? All those in favour? Opposed? Carried. Thank you for that.

INTENDED APPOINTMENTS

RICHARD BROCK

Review of intended appointment, selected by third party: Richard Brock, intended appointee as member, Regional Municipality of Waterloo Police Services Board.

**The Chair:** Mr Brock, would you please take a seat at the end of the table. Welcome to the committee. We're pleased you're here. If you have any opening comments you want to make, that would be appropriate. Then the members of the committee will have at you.

**Mr Richard Brock:** Thank you. I'm not sure what information people have received, but I intend to tell you who I am, what I do and why I'm interested in the police services board.

My name is Richard Brock. I'm 52 years old. I live in Cambridge with my wife and four daughters. I own my own business. We operate out of Kitchener, primarily in industrial automation and technology that we market all over the world. It's a professional company. I have 190 employees. I also sit as a director of four different companies involved in the publication and media business, the finance business, the chemical business and technology.

My belief has always been, as a businessman, that you should not take your community for granted, and having the opportunity to travel in many places in the world and do business in many places in the world, certainly Ontario is a unique place and an opportunity for a businessman.

Growing up in rural Ontario, I learned to be a volunteer, and I have served on hospital boards, United Way, the chamber of commerce, different education organizations, theatre groups and two government task forces, one involved in the reorganization and better way to manage the airports in Canada and the other in Ontario, the centres of excellence and particularly the centre for microelectronics.

My present involvement in the community in the Kitchener-Waterloo area is centred around CODA, the Community Opportunities Development Association. We work with people who have been displaced because of the technology changes in industry and who have been on welfare, in an attempt to help build up their self-esteem and get them back into the workforce. We have created a fund whereby we work with the local banks to lend them money, when they could not otherwise get it, and start their own businesses.

It has been in this area of the community of Kitchener-Waterloo-Cambridge that I was approached in the spring of 1996 to see if I had an interest in serving on the police services board. I did have an interest and have done some research, and I believe it's compatible with what I've chosen as my present activities in the community and learning more about that community. I'm aware that it's 50% of the budget for the region of Waterloo.

I believe my experience as a businessman, management skills, financial skills and technical knowledge, my interest in the community and my compassion for people will qualify me to add to and be a contributor to the police services board.

**The Chair:** Thank you, Mr Brock. Questions from the government side?

**Mr Douglas B. Ford (Etobicoke-Humber):** Good morning, Richard, and welcome here. I've got a couple of preliminary questions to ask. We have something in common. My son has four daughters too, so I understand where you're coming from.

The regional municipality of Waterloo covers a number of cities and townships. Are there some policing concerns specific to some of these areas, or is each area represented with its own policing challenges?

**Mr Brock:** In my opinion, the biggest area with the policing challenge is the downtown core, particularly the Cambridge and Kitchener areas, where the police force has been going back to walking the beat or community forcing, where police officers are encouraged to get to know the local merchants, the local people and the activities going on in those communities, and from an economic point of view, a concern for the region in both cities, to have these areas restored to healthy commercial centres.

**Mr Ford:** How will Waterloo police services board directly benefit from your professional and personal experience?

**Mr Brock:** As I said in my opening remarks, my experience with a variety of organizations, working with people — I in fact have personally managed budgets of \$50 million to \$120 million, so this is not a size I have a problem with or have not had experience with. Every



organization is people, and I think I have a track record of good communications skills in understanding the people who are closest to the customer, and the customers in the police business are the people on the street.

**Mr Ford:** I completely understand where you're coming from. Thank you very much.

**Mr Peter L. Preston (Brant-Haldimand):** Mr Brock, I found out in a brief conversation that you're a duck hunter. I'm a trap shooter. Some say I shoot my trap off too much. I thought I'd get that in before somebody else did.

**Bill C-68:** We know it's not going to keep guns out of the hands of criminals, we know handguns have been registered already for years and years and years and we know that it's going to contribute to smuggling. What is the feeling in your community?

**Mr Brock:** The feeling in the community is confused. People who own guns and have gone through the process of buying a gun know for the last 15 years every firearm has been registered. I myself am on my third firearms acquisition certificate and have recently just passed the exam to acquire a new one. So people who own guns see that the government has a record someplace of every firearm that's owned. No one in this province or Canada can go and buy a handgun without having two certificates, and that's common knowledge.

For sure, from the point of view of the public and the police services or a policeman, firearms in the hands of somebody they're having to deal with are a danger and a concern, so what the government has tried to do in the legislation, and I'm in total agreement, is increase the penalties and crack down on people who are using firearms for purposes other than they were intended.

The confusion with the bill, and the fear — there are a lot of people who own firearms, I think many more than the public realize, and it's coming out in the media now, some 800 applications a day are being processed for these certificates. The great fear in the way the legislation was presented is that you're going to come into my house and take away my gun. I don't think that was the intention, but that's the way the message was conveyed.

At the shooting clubs that I go to, and I too shoot trap and skeet and belong to hunting clubs, there's an over-reaction and a fear against the bill. It will not, in my opinion, deter anybody who's interested in using a gun for criminal purposes. They are just not going to go and fill out the form and say, "I've got a handgun that just came in from the United States." It's very difficult to control the movement of handguns. As an example, you could put one in a bale of marijuana. You seem to be able to get that everywhere. So it's a difficult problem.

1010

**The Chair:** No more questions for the moment?

**Mr Bob Wood:** We'll reserve the balance of our time.

**The Chair:** You have a minute left.

**Mr Bruce Crozier (Essex South):** Good morning, Mr Brock. Just to follow up on the previous question, I don't own a gun, I don't hunt, I don't like guns, and anything we can do to limit guns, aside from what's being done — because I agree with you, I don't think Bill C-68 is going to get rid of illegal guns any more than legalizing illegal video lottery terminals is going to get rid of video lottery terminals.

**Mr Preston:** That's a good twist.

**Mr Crozier:** I do want to clarify one thing, though, Mr Brock. The public appointments secretariat gives us a background of yourself and how the candidate search process was carried out. It says here: "The vacancy was advertised in the local newspapers. Interviews were conducted by the public appointments unit." You said you were approached. Which is correct?

**Mr Brock:** Yes.

**Mr Crozier:** You were approached? You didn't answer an ad in the paper?

**Mr Brock:** I wasn't aware it was being advertised or the position was available. I was approached by two different people, one a past chairman of the Waterloo regional police services, a person I've helped with his business when he had some reorganizational problems, and another gentleman, a member of the Kitchener-Waterloo Progressive Conservative businessmen's association, of which I'm not a member, but I attended a meeting. He is a person I was lobbying on behalf of CODA to make some amendments to the proposed workfare legislation. I had some ideas from what I'd learned. Through that discussion, he asked me if I would be interested in the police services. So two people had approached me and made me think about it.

**Mr Crozier:** That's fine. I just wanted to correct my record.

**Mr Brock:** But I was interviewed in the process after that.

**Mr Crozier:** This just implied that you may have answered a local newspaper, and I'm glad you clarified that for me.

I want to talk a little bit about governance and police services boards and the appointments to them. Are you aware that there are a majority of provincial appointments on police services boards as opposed to elected officials? As a taxpayer, do you have any comment on whether there should be a majority of non-elected members to the board, or should we consider having a majority of elected members?

**Mr Brock:** In the Waterloo regional police services there are seven members, three from the region. How they're selected I do not know, but they're not elected by the public at large. So I consider all of them appointments by some political body: three from the region and four from the province. I can speak only for myself. It wouldn't matter whether the region appointed me or the province appointed me. I'm the same person, I'm going to give the same opinion and I've got the same experience.

**Mr Crozier:** I believe that. It's just one of accountability, I guess, that I'm getting to. It's the elected officials who are accountable ultimately for the collection of taxes for the payment of police services.

**Mr Brock:** In the situation I'm interested in, the region, one is the chairman of the region of Waterloo, who is a non-elected person, the chairman of the board is the mayor of Wilmot township, and the third person I do not know. But they're not elected to their position on the police services board, so I don't believe they're elected in any form. I think they're all appointed. Certainly the one from the region is not an elected person.



**Mr Crozier:** No. What I'm getting at, though, is ultimately the council or the region or whoever collects the taxes is accountable for those taxes, for the tax rates and so forth, whereas the majority appointed to the board are not elected. When you say "appointed," I guess they're all appointed to the board in that the council determines who will represent them there, but there are a minority of elected officials, in some form, on the board.

**Mr Brock:** I agree with that.

**Mr Crozier:** Do you think that then makes the board more or less accountable?

**Mr Brock:** It's a question I haven't put my mind to before, but I relate it to a problem I have with municipal elections, and that's the participation of the community where you have turnouts in the 30% range.

**Mr Crozier:** We even get majority governments elected with a minority of votes.

**Mr Brock:** You can get majority of governments. I'm not sure that process gets you the best-qualified people, when the appointed people I believe should care as taxpayers and compassionate citizens of a community. So I don't have a problem with the process; obviously I'm here.

**Mr Crozier:** If that's the way you feel — that's the answer I want from you, just exactly how you feel.

Are there any issues that you're aware of that are before the police services board that you have a particular concern with?

**Mr Brock:** I'm not aware of nearly all of them, but certainly the Young Offenders Act is an issue expressed by the Waterloo police services board. They've been public and made their position known in agreement with the Hamilton-Wentworth police board.

The biggest issue, in my opinion — and I look at it as I would a business organization where you have 700 employees and a budget of some \$55 million, and in one of the fastest-growing regions in Canada, Kitchener-Waterloo, a very dynamic industrial area — is that there are increasing pressures on the services required by the community and increasing pressures from budget restraint on the organization to deliver these services. As I view it with the little knowledge I have today, police services organization is something of a military style because of the nature of the titles of officers. It's in very much of a transition: changing its management style, learning to use technology more efficiently, and cope, and sell its needs for financial support.

**Mr Crozier:** When you mention budgetary restraints, of course there's been some suggestion that there should be alternative forms of financing, of revenue, for police services; for example, charging businesses for false alarms, selling advertising. Do you have any thought about that?

**Mr Brock:** In reverse, I have fair experience in the media business and advertising business. I'd have to learn a lot more, be convinced that it was a good idea. I say that because on the board of a newspaper your main advertiser gets a little more attention than somebody off the street. Right or wrong, that happens, and I would be concerned that it would happen in a police service situation.

False alarms: I have a security system in my house, I have security systems in my office, and because of my business security is very important to me. We have false alarms; somebody inevitably sets it off. In the past I've been so appreciative of the police calling, I call and say: "It's our fault. You came. Can I pay?" All I've been able to do in the past is send a cheque to the police charity, which happens to be the Children's Wish Foundation in the area. As a customer, I'm totally supportive of it. I don't think the taxpayers' money should be wasted on businesses or people who have security systems and don't manage them properly, so I would be an advocate that they should pay.

**Mr Crozier:** Would you differentiate between that and a private citizen who may call, think they see a prowler, where nothing results from it?

**Mr Brock:** I would definitely differentiate that.

1020

**Mr Peter Kormos (Welland-Thorold):** I anticipate, and I suspect — I can't speak for other people — it's going to be unanimous that your appointment be approved. You've got qualifications which would stand you in good stead.

You won't deal with the gun control issue; that's been canvassed already.

You made reference to community concerns about the YOA, the Young Offenders Act. Are you simply the messenger here or do you share those concerns?

**Mr Brock:** I'm not a messenger at all. I took it upon myself to learn a bit about some of the issues. That's why I'm aware of that. Personally, my eldest daughter is a teacher. I'm aware. I have mixed emotions about it. There are young people being used by adults to commit crimes in situations where they know they aren't going to be punished, and that's wrong. By the same token, I have compassion for those children who have been misled and haven't had an opportunity. That's why I'm doing what I'm doing in the community. The Young Offenders Act has to be changed. Policing enforcement and punishment have to be tightened up. At the same time you have to get into the root cause of the problem, or all we're going to do as taxpayers is keep them in jail.

**Mr Kormos:** One of the phenomena you talk about isn't new. Read Dickens. Fagin was a theme prominent in one of Dickens's novels from literally centuries ago. You see, I'm always intrigued, and I have concerns about the YOA myself, but where does the YOA fail us in a manner that the JDA, the Juvenile Delinquents Act, which it succeeded, didn't?

**Mr Brock:** I'm not going to answer that because I don't know enough.

**Mr Kormos:** I'm concerned about this debate about the YOA, because the YOA changed very little about the law as it applied to young offenders. It did expand the coverage of "young offender" to ages 17 and 18, beyond 16, which it was under the Juvenile Delinquents Act, but it really does very little to change the manner in which young offenders are dealt with. That's why I'm concerned about this debate about the YOA when there wasn't the same criticism of the JDA.

**Mr Brock:** Let me tell you what I know from my experience, and some of this comes from my daughter.



When I went to school it was a one-room school with eight grades and one teacher, and the strap was something that everybody was quite familiar with. I've got to tell you — one time we had 48 students — discipline was never an issue and we all got an education. Today in the school system there is no discipline. My daughter called me Monday night, crying. She has a class of 32 children. It's a misbehaved class, and in the school she's in the principal has put them all in the same class. She said that in the space of one hour there were three fights. The language is unbelievable and they call her a bitch. Now, in that hour nobody got an education. Society has changed. There is no discipline and no respect. For sure, in my experience in life, there is a balance in that, and certainly in the way I've raised my children there is discipline and there is respect. Society must, in my belief, enforce discipline.

**Mr Kormos:** I can't quarrel with you on that, and I don't.

**Mr Brock:** The point is that I think we went too far away from discipline and that we'll have to come back.

**Mr Kormos:** You're not the first person to speak in this way, to target the YOA. I've criticized the YOA since its introduction, for some very specific reasons and specific concerns I've had. But the YOA isn't responsible, I suggest to you, for what you're speaking of now in terms of the classroom context or in terms of what's happening to families or in terms of what's happening to communities. That's why I'm raising this with you. I'm responding to you that to target the YOA, because that's become a buzzword, without addressing — and the YOA does little to change what the Juvenile Delinquents Act provided before it in terms of structure and limitations on sentence and limitations on the ages of young people who can be dealt with. I raise that with you because I think it's unfortunate that we focus on the YOA, which needs addressing, but it isn't the cause of the things you're talking about, in my submission to you.

**Mr Brock:** I don't think I'm disagreeing with you, but you're more knowledgeable on that topic than I.

**Mr Kormos:** Not necessarily.

The other issue Mr Crozier was referring to was a recent report that was distributed under the name of Al Howey, who happens to be a member of the Niagara police services board, from the association of police services boards. It talked about the distinction between provincial appointees and members on police services boards who are elected members by virtue of their municipal or regional councils. The police services boards association seems to think there is an important distinction between provincial appointees and what we can refer to as elected members. You don't share that view, obviously.

**Mr Brock:** I could take a position that there is a distinction, but as I said, I don't believe that for what the purpose is or the reason somebody sits on the board there's a distinction, as I see it in the Waterloo region.

**Mr Kormos:** When the Liberals passed the new Police Services Act, one of our criticisms — I was the critic on the committee — was that there was a majority of appointees by the government as compared to a majority of local people. When you've got the police services

board responsible for setting budgets but somewhat hamstrung when it comes to collecting the money, how do you resolve that conflict? Because policing costs money. One of the complaints of cops across the board is, "We don't have the resources to do what you expect us to do."

**Mr Brock:** I can only give a philosophical answer. The Waterloo regional police board is part of the policing of the province of Ontario, and there are a number of boards, so certainly the province must have representation and make sure that the policing in one area is not different from others. I wouldn't want Ontario to be like a trip through Georgia on your holiday.

By the same token, I think the region is well represented by having three representatives. I think we have four members of Parliament in the Kitchener-Waterloo-Cambridge area.

**Mr Kormos:** For the moment.

**Mr Brock:** For the moment, but we'll always have four members of Parliament, unless they do a downsizing of the numbers, which they may do.

**Mr Kormos:** Oh, you're talking federal.

**Mr Brock:** No, I'm talking provincially, provincial members of Parliament. The process is that elected people appoint these people, so I don't see the differentiation in responsibility or how the people are appointed. I don't see a problem with the system today.

**Mr Kormos:** Then how do you perceive the function of the dual membership? Clearly there are some who are elected and there are some who are appointed without election. I heard what you've had to say about elections; so be it. Why is there the duality in membership, in your mind, on the police services board? Is it something that should be maintained and protected?

**Mr Brock:** From what I know today, I don't have any reason for recommending a change.

**Mr Kormos:** Okay, fair enough.

**Mr Brock:** But I might reserve the ability to change my answer six months from now.

**Mr Kormos:** Come back in a year.

**The Chair:** Mr Brock, thank you very much for coming before the committee and sharing your views with us. We appreciate it.

1030

#### CAROL FLETCHER-DAGENAIS

Review of intended appointment, selected by official opposition party: Carol Fletcher-Dagenais, intended appointee as member, Ontario Board of Parole.

**The Chair:** The next intended appointee is Carol Fletcher-Dagenais. We welcome you to the committee. We welcome you and ask you, if you want to make any opening comments, to do so at this time.

**Ms Carol Fletcher-Dagenais:** I prepared a brief statement that I'd like to give. First of all, it's an honour for me to appear before this committee this morning and to be considered for this position with the Ontario Board of Parole. Of special note is the fact that my late great-aunt was a cleaner at Queen's Park when my family first immigrated to Toronto from Scotland several decades ago, so it's of personal significance that the third gener-



ation of this Canadian family may be given the opportunity to be a witness here in this building today.

As you have noted from my CV, I have always had an interest in criminal justice issues. I have an honours degree in sociology, with a legal studies minor from the University of Waterloo and a master's in applied criminology from the University of Ottawa. While I was completing my undergraduate work, I was fortunate to have the chance to work for two terms with the Halton Regional Police force. It was a special program that provided young participants with a hands-on knowledge of various issues within the justice area. We audited criminal trials, we gathered statistics on crimes in Halton, and we were trained in assisting homeowners and small businesses with crime prevention techniques, and we were afforded the opportunity to ride along with the officers.

Also while at the University of Waterloo I had the opportunity to volunteer for a short term at a home for young offenders in the Kitchener area.

At the University of Ottawa, the master's program also allows for a co-op approach to learning. My first practicum was at RCMP headquarters in Ottawa in the crime prevention branch. We assisted in the development of various programs for children, youth, the aged and women. The second practicum was within the office of the then Solicitor General of Canada, and my role centred on assisting the minister's senior adviser for the RCMP and CSIS on issues relevant to their purview.

During my master's program I was also given the opportunity to give a seminar to the offenders at the federal institution at Collins Bay, and as a teaching assistant in an introductory criminology course I taught a class in electronic monitoring prior to the concept being introduced in any form in Canada.

While I was at the University of Ottawa I began working on Parliament Hill as a constituency assistant. I'm sure the members are familiar with the various responsibilities inherent to that role. That role led me to accept a position with the then Minister of Immigration, who at the time was undertaking a significant revamping of the Immigration Act.

Of note among my responsibilities, I was charged with advising the minister on particular cases, and a number of these cases involved criminality. It was incumbent upon me to ensure that the decision was consistent with the Immigration Act and made after careful consideration of all relevant factors.

In this way, and in respect of both my academic and professional background, I am prepared to take on this important position at the Ontario Board of Parole should this committee concur. I look forward to your questions.

**The Chair:** Thank you very much for that. Are there any questions from members of the government?

**Mr Dan Newman (Scarborough Centre):** Welcome, Ms Fletcher-Dagenais, to the committee. I read with interest your résumé — varied experiences, both practical and the academic background. You're currently a small business owner?

**Ms Fletcher-Dagenais:** Yes, that's true.

**Mr Newman:** And you've been a teaching assistant, you've done some work with the Halton Regional Police service and you've been an assistant in various ministers'

offices. That practical experience and your academic background, with the master's degree in sociology — what specific strengths will you, with your master's degree, bring to the Ontario Board of Parole?

**Ms Fletcher-Dagenais:** I had the benefit, as I referred to earlier — for most of the 1980s I was in university. I was listening with interest to the former witness and the question from Mr Kormos regarding the YOA. Of course, when I was there I took a course on juvenile delinquents, because that's what it was called then. But I did have the benefit of taking many academic courses surrounding issues of Canadian criminal justice, both on the more academic side with respect to philosophy of law, sociology of law and on and on, but also with respect to the fact that we had teachers who were professionals in the field. Judges would come in; offenders would come in and speak to us with respect to their experiences; parole officers, lawyers, crown attorneys, so on and so forth. So even though we may not have been working in the field, we had an appreciation for what that entailed. I think I garnered a lot of knowledge during that time.

Following that, and participating in government, certainly there are issues you have to deal with as a constituency assistant with respect to areas surrounding the federal criminal justice system. Also, in terms of my immigration work, there is a system within the Immigration Act that allows for rehabilitation for those who have committed offences. We would review specific cases in terms of how long ago the offence had occurred and in terms of particulars of the case and what that individual had done to overcome the problems they had earlier in life. Then I would be in charge of recommending a decision to the minister, which I took quite seriously, in order to recommend whether that person should be either allowed to enter or remain in Canada. So I bring with me the benefit of that experience.

**Mr Newman:** In your profile, in your résumé, some of your strengths include that you're an effective consensus-builder, that you have keen judgement and formidable trouble-shooting capabilities. Can you comment on those?

**Ms Fletcher-Dagenais:** Consensus-building: When you work in a ministerial office, when you work on a team, obviously you have to be able to bring together different views and come up with a decision. Sometimes those people come to an issue with different perspectives, and it's important to bring everybody together and come out with a product at the end that people are comfortable with and that you feel comfortable with. So, yes, I've had that experience.

The trouble-shooting, of course, comes from almost 10 years of working with the public and dealing on a daily basis with issues relevant to them. Obviously, now in my own business and dealing with the federal bureaucracy in terms of immigration, let me tell you, trouble-shooting comes into play every day.

**Mr Newman:** With respect to your activities of interest, it has the group CAVEAT and that you're a supporter of minor hockey. How will these interests and other community activities that you may be involved in help you to represent the views of the community as a whole?

**Ms Fletcher-Dagenais:** I'll refer to the last one first. I think it's important to participate in your community. I



live and work in my community. I'm active when there are events that either have to be planned or I enjoy participating in them. Just this past summer at the Navan fair, if anyone's been down in eastern Ontario, it's one of the biggest agricultural fairs in the area. The theme was O Canada. It was a unity theme. I thought it was incumbent upon myself to participate on that, so we had a booth there and we participated in it. A year ago last October, of course, I went down to Montreal with my federal friends and we participated in the rally. I took a bus down early in the morning and I was pleased to stand with my fellow Canadians on behalf of my country.

In terms of the community issues, I also participate, of course, in crime prevention, the Neighbourhood Watch in my community and that sort of thing. I do believe it's fairly important to do that. Now, I'm sorry, you had another issue you referred to —

**Mr Newman:** Just CAVEAT.

**Ms Fletcher-Dagenais:** CAVEAT. Yes, of course. After leaving the minister's office I continued, obviously, to take a real interest in issues surrounding border control. In fact, I've remained very active on the issue. I think that in Canada there has been a gap, let's say, in terms of our attention paid to the issue. In reality, if we deal with issues at the border, in ensuring that there are rules and attention paid and people can communicate so we know what is happening at our border in terms of smuggling, illegal immigrants and so on and so forth, then we don't have to worry about them at the back end once they're in the country. I think it's only fair to Canadians that we pay more attention to that issue, so I continue to work on that.

**Mr Preston:** I was going to ask a silly question like, do you support these criteria for parole? Naturally, you have to. But I am concerned about two points in the criteria: "The board may grant parole." How do you feel about "may grant"? I'll just give you a parallel. Two people are working in a bank, both loan officers; one looks for a way to make a loan, one looks for a way to turn a loan down, but they're both doing exactly the same job. How do you feel about "may grant"?

**Ms Fletcher-Dagenais:** I think it's important that you approach each case in an objective way. Our hands are certainly not tied to the issue and I intend to make sure that I review all the pertinent information that is provided to me and that I render a decision consistent with how I feel about the case. I think it's important that in terms of the statutory criteria for the board, there is the allowance for reintegration into the community. That is a very important concept. But there's also the concept of examining the risk to society. If there's ever a question in my mind as to which one will be paramount, I can tell you that the protection of the community and Ontarians will be paramount in my mind.

1040

**Mr Preston:** That's my second question, the part I'm concerned about: undue risk. How do you feel about undue risk?

**Ms Fletcher-Dagenais:** I guess it's a matter of degree. Certainly one would have to examine the facts of the case to feel comfortable with rendering a decision. As I said, I will try and strike a balance, but there will be no question in my mind as to where I lie on the issue.

**Mr Crozier:** Good morning. I don't know whether you have information on parole applications granted and denied.

**Ms Fletcher-Dagenais:** In terms of, sir?

**Mr Crozier:** In terms of numbers. I want to share this table with you and then ask for your comment, the table on the page right there. These are very general questions. You'll see from that table that two interesting things have happened from 1992 through to 1996. One is that the number of applications has gone down, and interestingly too the percentage granted and the percentage denied have kind of reversed themselves. In other words, there are fewer granted now as a percentage than previously and of course more denied now. Any thought, with your experience, about what that table tells us?

**Ms Fletcher-Dagenais:** In terms of those applying for parole and why the number has gone down, I'm not familiar with the issues as to why that might have happened, and I'm interested, actually, to know why that is the case. In terms of the applications denied, I know it's very clear that people take their role seriously as a member of the parole board, and from what I understand of the people who have been appointed to the role recently, they will make sure that all factors are considered and that their decisions would be rendered based on the criteria put before them. In terms of statistics, if you really want to throw out statistics and talk about them, that's fine, but in my experience it's a bit of a waste of time.

**Mr Crozier:** Okay. Liars figure, and figures lie.

**Ms Fletcher-Dagenais:** Your words, sir.

**Mr Crozier:** Oh, yes. I'm an accountant, and I've used that a lot.

I still want to pursue this a bit, though. Do you think, then, that boards in the past have not been doing their job?

**Ms Fletcher-Dagenais:** I'm sure that people who accept a role to this position make the decisions based on their knowledge of the facts, and also consistent with their backgrounds and their feel on the issues. Getting back to the statistics and from what I've seen recently, I think 85% was the figure of those who, once they are paroled, are successfully reintegrated into the community. I don't think that's a failing grade. Certainly the Prime Minister of Canada just gave himself 78% positive support and said that was a great grade. But with all due respect, I think there's always room for improvement in a board. I know it's evolving. There are certain issues that have come to the fore following a very tragic incident a number of years ago, and both the former government and subsequent governments are moving, I think, in the right direction to deal with these issues.

**Mr Kormos:** Here I am again, as with Mr Brock: I'm going to support your appointment and I'm confident that everybody will. But you're almost overqualified. I don't say that to be denigrating, but there's been a whole lot of research that's shown that plain old laypeople, just plain folks, are as capable of predicting dangerousness as are the most élite panels of psychiatrists, criminologists, what have you.

The discussion about the 85% success rate of parole, or whatever the percentage would be at any given point



of time, begs this question, because it's similar to the success rate for probation: Maybe these are people for whom the jail term wasn't an essential consequence in any event. As I say about probation, the reason there's a relatively high success rate with probation is because it's offenders deemed by a court to be least likely to reoffend who are put on probation, so of course there's a relatively high success rate. Parole boards are in this incredible dilemma. I suppose a parole board could be less concerned about a situational shoplifter — though Lord knows I don't want to diminish the seriousness of that to store owners — than they are about, let's say, the paedophile. The reality is that sentences for paedophiles and other predatory offenders like that are still falling, not as much as before, but within the provincial range.

Dr Freund from the Clarke Institute, the Czech researcher who just died, was interesting because in the comments on his death it was mentioned that he expressed great sympathy for the paedophile, strangely enough, recognizing that this was a tortured, sick person, but he was also one of the people who made the observation that treatment for paedophiles is rare, few and far between.

So here you are, you're on a parole board and you've got a guy — I'm sorry, a person, though usually a guy — who's eligible for parole, and you know if you don't release him now he's going to be out in six more months anyway. What's going to happen within that six months? I'm not trying to challenge you with this, but doesn't this make the whole situation ironic, or at least paradoxical?

**Ms Fletcher-Dagenais:** I'm not sure what the question was, but I'll attempt to discuss the issue.

**Mr Kormos:** It was an observation. I just want to hear your response to it.

**Ms Fletcher-Dagenais:** First of all, on your first comment surrounding laypeople and their ability to perform the task — and I'm sure there are many — I've had either the benefit or the misfortune, depending on how you look at it, to listen to many people with PhDs in the criminal justice field, and I can tell you that I haven't been enamoured of all their ideas. I'll give you an example. One of my professors went into a great deal of study about how one could be rehabilitated if we just painted the room pink, that it would create a calming influence and on and on and on.

**Mr Kormos:** Name names here.

**Ms Fletcher-Dagenais:** That might be very useful in the Legislature, from what I've seen of question period.

In any event, I think each case has to be examined on a case-by-case basis, and if we're dealing with a situation where someone would benefit from an early release, with the supervisory role that would be put in place and the programs they would come out with, then certainly that would be one consideration. If I'm of the view that I don't believe this person is ready for release or wouldn't benefit from that type of structured follow-up, then no, I wouldn't be proposing an affirmative answer. But as I said and as you know, sir, you have to deal with these issues on a case-by-case basis and look at each case individually and all the factors inherent to that case.

**Mr Kormos:** What do you see as the purpose of parole, ultimately?

**Ms Fletcher-Dagenais:** I believe it's twofold, and it's stated in the criteria. First, it's to ensure, as we referred to earlier, that protection of society is considered and that there is no undue risk to the community, and, second, to allow the offender to have an opportunity of reintegration into the community and allow for a staggered approach to that.

**Mr Kormos:** In terms of the second consideration, the statutory considerations, what do we do in communities that have simply fewer and fewer resources for this reintegration process? Does that hamper the parole board in performing its function?

**Ms Fletcher-Dagenais:** I'm aware of, even in very rural communities, one of which I live in, the resources available. There are some very good groups out there that deal with offenders and helping them reintegrate into the community: the John Howard Society, Elizabeth Fry, the Salvation Army and so on and so forth. The churches play a big role in that as well and families obviously play a huge role, so there are a number of things one would look at with each individual to see what kind of approach would be taken and would be best considered for that individual.

**Mr Kormos:** Do you have any views about women offenders who have perpetually had difficulty in serving their sentences close to their own municipality, simply because many regional detention centres don't take women and women have to be shipped to more centralized ones? And it may change for the worse — government members would argue for the better — with the corrections reconstruction. Do you perceive women as being in a somewhat different position from male offenders — as you know, other writers and observers have, and even some courts have — because of the restricted location of services for them?

1050

**Ms Fletcher-Dagenais:** I know that's also been an issue at the federal level, and I've had the opportunity to review some information on that. I know it is a challenge. Let's face it, all levels of government are under constraints. We have to deal with how to best use the economies of scale to deal with this situation but also provide that family and community support to make sure it's accessible. It's something I'd like to learn a lot more about in terms of how women are considered in a disadvantaged position. Arguably, that can be said of a lot of different areas. But it is a special situation and one that probably requires a little bit more attention.

**Mr Kormos:** Louise Lassevich's book, *Cry Baby*, was one of the most effective things out of — the first dangerous offender. The woman is dead now, unfortunately. Thank you.

**The Chair:** Ms Fletcher-Dagenais, thank you very much for coming before the committee. We appreciate your presence here.

IAN MacINNIS

Review of intended appointment, selected by official opposition party: Ian MacInnis, intended appointee as member, Ontario Board of Parole.



**The Chair:** The next intended appointee is Ian MacInnis, for the Board of Parole as well. Welcome to the committee. I think you got to see the way we function. We'll give you the opportunity to say a few words.

**Mr Ian MacInnis:** Thank you very much. With respect to my intended appointment to the Ontario Board of Parole, if this committee and others in the Legislature are looking for someone with a capacity to analyse and assess large volumes of documents, I would direct your attention to my years on municipal council in the city of Kingston and to my experience as an agent in Small Claims Court, which is my present profession. A good number of you, I'm sure, are from a municipal background and can certainly appreciate the number of reports and recommendations, delegations and submissions that one entertains if one is committed to the job of learning and listening to as many points of view as possible in order to make an informed and reasoned decision. As an agent in Small Claims Court I must assess on a daily basis for my clients the merits of their case and advise them as to whether we should proceed to trial, seek an out-of-court settlement or not pursue the matter at all, and I believe I have the ability to do that type of analysis.

If you're wondering whether I bring to the Board of Parole the perspective of a broad cross-section of the community, I would also refer you to the list that I believe is contained in my CV of the community committees and boards I've served with, in addition to my work with the Heart and Stroke Foundation and the Rwandan orphan relief program, in which I participated with members of the Canadian armed forces.

If you consider it important to have directly related experience in the criminal justice system, I would direct your attention to my years with the Manitoba Police Commission, and the Alberta correctional service, where I had the opportunity to introduce crime prevention programs throughout Manitoba. I might add that one of my most important experiences in Manitoba was the work I did in some of the more isolated communities, like Pukatawagan and Shamattawa and Berens River, where there's a high, high incidence of crime, of murder, of suicide. I've seen youngsters dead, with a burlap bag around their head, sniffing gas. It's quite an experience, and I think I've seen a lot of sides of the justice system.

I also had the opportunity to assist in improving community relations with members of the justice system. I'm talking about the police, I'm talking about judges and I'm talking about correctional workers as well, because I was very much involved with conducting community education workshops in a lot of those rural and more isolated communities throughout the province.

When I was with the Alberta Solicitor General, with the correctional services branch, I had the opportunity to introduce recreation standards in correctional facilities; there were eight facilities, actually. I thought that was very important because idle time is not valuable to any community. If people learn to make constructive use of their recreation time, certainly that is better than going out and committing crime.

I also introduced a program, with the Alberta Solicitor General, called the young offenders correctional centre visitation program, which actually appeared on CTV news

some years ago, where we took a good number of young people aged 14 to 21 who had been involved with committing offences but had never been incarcerated. It was our objective to give them an opportunity to see what it was truly like in a correctional facility by taking them through with an inmate and one of the correctional officers and having an opportunity — none of it was primed — to speak with inmates serving time and hear from them straight out what it's like to serve time.

Finally, if you agree with me that public safety is the paramount consideration in granting or denying parole and that cautious and reasoned decisions are required in dealing with requests for parole, then I would welcome the appointment. Thank you.

**Mr Ed Doyle (Wentworth East):** Welcome, Mr MacInnis. Thank you for appearing here today. I see on your CV, and you briefly mentioned this, that you were a police community relations officer with the Manitoba Police Commission. You were also a program consultant with the Alberta correctional service and law enforcement division, Alberta Solicitor General.

You briefly touched on that when you were talking with us. I wonder if you could expand a little on that and how that would be of benefit to a position on the parole board.

**Mr MacInnis:** I'll start with the Manitoba Police Commission. I had the good fortune, while I lived in the city of Winnipeg, to do a great deal of travelling throughout Manitoba. As you probably are aware, there is what appears to be a disproportionate number of native Canadians who are incarcerated. I was able to go into those communities, in working with the RCMP and with the judges in the area, to find out, and come to an appreciation of, what type of life some of these people lead.

One of the problems in those areas was that there was nothing to do. As a result, people were getting drunk and they were killing each other and they were committing suicide, as I mentioned earlier. In a good number of cases they didn't like the police very much. The RCMP, of course, are the provincial police in Manitoba.

As part of my function in crime prevention — that was my emphasis, by the way, as a police community relations officer; I focused on crime prevention — I thought it would be a good idea to start bringing the police who policed these areas together with some of those younger people, who either had been in trouble or certainly were headed towards it, in recreational pursuits, whether it be hockey or some passive pursuit.

To tell you the truth, when the police would fly from a place like Lynn Lake into Pukatawagan, which is about 500 miles west of Thompson, Manitoba, just to give you an idea — it's way out in the middle of nowhere.

**Mr Doyle:** Polar bear country.

**Mr MacInnis:** That's right. The mounties would fly in and they would stay there for a few day in their own trailer, and they too were looking for something constructive to do. So bringing the police together with the youth and some of the adults in the community really helped improve relations, and I dare say — I haven't been there in a while — it assisted in lowering the crime rate.

**Mr Doyle:** And would be of assistance on the parole board.

**Mr MacInnis:** Absolutely.



1100

**Mr Ford:** Mr MacInnis, thank you for coming this morning. In October 1995, Minister Runciman introduced some reforms. These include not granting parole when there are documents missing from the file, standardized risk assessment of offenders being considered for release, a 24-hour call for parole officials and a policy of reviewing cases in which an individual commits a serious offence while on parole. Will these positive measures help to ensure greater public safety to the people of Ontario?

**Mr MacInnis:** I don't think there's any doubt about that. I've read some background on that and I thought the previous government made some very positive steps towards improving the safety of the public as well.

I recall a case a few years ago — this is specific to the public safety issue and the point that was made with respect to not having all the materials available — of the young police officer, and it really struck me because he was the former captain of the Carleton Ravens football team, young Mr MacDonald, who was shot down. From what I understand, in part at least, the individual who shot down Officer MacDonald was on parole, but I understand there was somewhat of a breakdown in communication between the time the gentleman — I forget his name now; I think Suzack was his name — was sentenced to the time he was paroled. I don't believe certain information made it to the parole board to enable the parole board members at the time to make a more informed decision. I don't think the parole board had the documents from the court that would have tipped them off perhaps, and perhaps a different decision may have been made.

There's no question that no one should be paroled unless all the materials are there, absolutely everything you can get your hands on, from the pre-sentence reports done by the probation officers to the actual reasons for sentencing from the judge himself or herself, the police occurrence reports, the crown's reports, the pre-parole reports, and the victim should have an opportunity to have input on potential parole being granted, all the experts, the correctional facility staff. Every piece of paper you can get your hands on should be available before you make the decision. It's an informed, reasoned decision, and that's what the public demands of us.

**Mr John Gerretsen (Kingston and The Islands):** Good morning, Ian. How are you?

**Mr MacInnis:** Fine, thank you.

**Mr Gerretsen:** I'm sorry I missed this. I guess we got started a bit earlier today. Could you give me your attitude towards parole in general?

**Mr MacInnis:** Yes. Keeping in mind that public safety is paramount in considering the granting of parole, I believe parole is something that should exist. If an individual who doesn't pose a risk to the community has a plan to reintegrate into the community with the necessary support systems by way of family, employment pursuits, educational pursuits, the treatment he or she may require, the counselling he or she may require, I think it's a lot better to allow that individual out on parole under certain conditions than simply to say, "Sorry, you're staying in jail until your sentence has expired," and the individual walks out with no support systems at all.

**Mr Gerretsen:** Do you have any views as to the legitimacy or otherwise of — I've forgotten the exact terminology — these ankle bracelets that have been talked about in monitoring people's whereabouts as opposed to having actual parole officers deal with individuals on parole? Do you have any views on that?

**Mr MacInnis:** I really don't know a whole lot about that; sincerely I don't. It certainly begs the question, if a tracking system is required, why? If you need to track someone, you probably have some serious doubts as to whether or not he should be out. Maybe you made the wrong decision. Other than that, I really don't know. I'd have to investigate other jurisdictions perhaps where that's being used and find out what criteria they apply to determine who should have an ankle bracelet for tracking.

**Mr Gerretsen:** In your curriculum vitae you state your previous experience. I take it that you only stated the experience you have in related areas, because I believe you've got a much broader experience than this, don't you, in the construction area as well?

**Mr MacInnis:** That's right. Actually, I've run a few businesses. The construction work that you're referring to goes back to my experience in Calgary years ago, just after I left the Alberta correctional service. I ran my own concrete and mortar supply business for two years in Calgary. Then, as you all know, in 1982 interest rates went up to about 22% or 23% and building permits were not being issued any longer in Calgary. As a result, I left that business.

**Mr Doyle:** Did you ever meet any hardened criminals?

**Mr MacInnis:** Hopefully, I wasn't a supplier to any of them. So, yes, I was in the construction business.

**Mr Gerretsen:** When were you involved with the Manitoba Police Commission? I think that's just when I walked in; I didn't get the years.

**Mr MacInnis:** From 1974 to 1976.

**Mr Gerretsen:** So that was well before that.

**Mr MacInnis:** Yes, and then with the Alberta correctional service from 1976 to 1980.

**Mr Crozier:** I'd like to refer you to the same figures I discussed with the previous witness. Maybe I'll have to lend this to you as well. You'll see by that table that in actual numbers the applications for parole have gone down by about a third, a pretty drastic drop, in the years that the table was set out, from somewhere in the neighbourhood of 6,000 down to 4,000, yet it's my understanding that our institutionalization of offenders has gone up in that period. Secondly, you'll see that the percentages, as I pointed out previously, of those granted parole and denied parole have just about reversed. You were here when I was asking the other witness; maybe you've had a little opportunity to think about that and if that says anything to you.

**Mr MacInnis:** I think you said "liars figure"?

**Mr Crozier:** Those are my words, yes, it was pointed out.

**Mr MacInnis:** I would hesitate to draw a conclusion by simply looking at this table and saying, "Here's why I think this is happening." I think I'd be better advised to find out. I'd like to know the answer to that. I don't know the answer, but it is interesting to note those numbers. Why, I don't know.



**Mr Crozier:** If it were that parole boards were becoming, if I could put it like this, more strict or less inclined to grant parole, would you like to know that as well, why that's happening?

**Mr MacInnis:** As far as being strict is concerned, it's fairly clear that this government — and I certainly support the notion of putting public safety first. Not only do I support that, but the public supports that and it's legislated. The federal government has legislated it. That is what Canadians want. I would like to think that anybody appointed to the parole board would adhere to that legislation and to the demands of the public.

**Mr Crozier:** Does that imply, though, as I asked before, that previous parole boards were less concerned about public safety, do you think?

1110

**Mr MacInnis:** I don't know the answer to that.

**Mr Crozier:** I raise this because I think you have a very interesting and difficult obligation that you're taking on. Goodness knows I don't know how parole boards arrive at the right and wrong decision. As Mr Kormos said, you can have the most expert of boards or you could have a board made up of non-experts, and who knows whether one or the other will make the right decision? I just say you have a difficult decision. It's always like armchair quarterbacking or hindsight: If you make all the right decisions, fine; if you make one wrong one, then all hell breaks loose.

I suspect the appointment will carry through and I wish you well, because it's not an easy task.

**Mr MacInnis:** Thank you. I'll do my best.

**Mr Kormos:** You've been a little peripatetic. Are you from the Kingston area originally? I notice you did your BA at Waterloo.

**Mr MacInnis:** Yes. My dad was air force, so we've been all over. I'm quite proud of that, by the way.

**Mr Kormos:** Was that your western connection, or how did you end up out west?

**Mr MacInnis:** In 1973 I finished at the University of Waterloo, and to tell you the truth, my wife and I at the time didn't have jobs. We started doing a job search and ended up in Winnipeg. That's where I started with the police commission, and went on to Alberta from there.

**Mr Kormos:** And back to Kingston.

**Mr MacInnis:** Came back to eastern Ontario, to Kingston, yes.

**Mr Kormos:** And that's when you were a city councillor in Kingston.

**Mr MacInnis:** That's right.

**Mr Kormos:** Are you currently a city councillor?

**Mr MacInnis:** I'm not on city council now, no.

**Mr Kormos:** How long have you been doing the paralegal work?

**Mr MacInnis:** Almost two years.

**Mr Kormos:** And that's with your own firm?

**Mr MacInnis:** That's right. I'm an independent. In fact, Mr Gerretsen was one of the people who kind of encouraged me when he was deputy judge in the Small Claims Court. He was helpful in answering some of my questions —

**Mr Kormos:** He and I have talked about that.

**Mr Gerretsen:** I'd like that stricken from the record.

**Mr MacInnis:** He's a big supporter of mine.

**Mr Kormos:** The provincial parole boards are dealing with sentences of less than two years, so you're not dealing with an offender who's in the midst of serving, let's say, a 15-year sentence after five, six, seven years of custody and may be able to demonstrate that he or she has gone through programs within the system etc.

You talk about what the public wants. I suppose my question to you, and I don't want this to indicate that it reflects a particular viewpoint on my part, is that people would say, "Why parole?" There's already statutory remission, which is designed to guarantee your prompt good behaviour because you get that by not screwing up while you're in custody. You know judges and/or crown attorneys who say, "What's the sense of imposing a two-year sentence if somebody's only going to serve one third of it?" So in your mind, why parole? Especially in shorter-range sentences, provincial sentences, because we're not talking about 15 years, where there's been a substantial portion served, where somebody could have matured, somebody could have taken programs, somebody could have been in all the stuff that goes on — AA, anger management. People out there are saying: "Why parole? Why should there be any parole?" What's your response to that?

**Mr MacInnis:** I think the presumption here is that people who are serving two years less a day are somehow not to be taken quite as seriously as those who are serving federal sentences of five or 10 or 15 years, but the fact of the matter is that a lot of people who are sentenced to two years less a day have been involved in some pretty serious matters. The root cause of their involvement on the wrong side of the law might have to do with their abuse of alcohol or drugs or, for that matter, they just might be plain unemployable and have decided to start their own business, and unfortunately it's one of break and enter and stealing.

**Mr Kormos:** Quite right. It's been said, "Some men rob you with a six-gun, others with a fountain pen."

**Mr MacInnis:** To answer your question, if an individual is serving 18 months — and you referred to earned remission, meaning he'd be let out after 12 months — then why not provide him with whatever support you can for six months with conditions attached to it where he's got to be responsible? That's keeping in mind, by the way, and I don't know if a lot of people understand this — you probably do with your background, Mr Kormos — that when a person applies for parole, he's giving up that earned remission. I don't know whether you're aware of that, but if you're serving 18 months and you've earned six months off by way of earned remission and you apply for parole, you've given up that earned remission. You are now going to be placed under conditional release for the entire sentence of 18 months. If you breach those conditions, you'll be back in prison likely till the end of your original sentence. So there's a responsibility on the part of the parolee to embrace the opportunity that he's been given. At the same time, he's rolling the dice himself and taking quite a risk. So I think those supports are important.



**Mr Kormos:** We haven't seen the map yet of the proposed new superjails. One of the jails targeted to be shut down, for instance, is Niagara Detention Centre, which is among the newer jails in the province and serves Niagara region, and where obviously a lot of sentences of 90 days and less are served. There's concern about the effectiveness of rehabilitation if people are removed long distances, great distances, from their community to serve their sentence, if they're isolated from their family, from their community, be it church community, be it support groups like AA, other things in the community.

Have you had a chance to reflect on how effective superjails that could well take people — and out west you've certainly witnessed the impact of that on inmates, haven't you?

**Mr MacInnis:** There's no question that being away from your family or your community a good distance is not so desirable to the individual. I can certainly understand the notion of having so-called superjails for economic purposes, but I think you've got to go more towards the beginning of the process. Forget about corrections for a moment and go back to the stage at which the individual is appearing in court in front of a judge. It seems to me that the judges in this country should be more knowledgeable with respect to the kinds of community programs that are available, like community residential centres or a fine option program, people who are serving time for having not paid a fine, or community service orders where people pay restitution back to the community for having damaged something rather than serving time. The public embarrassment of course is attached to that as well, automatically.

Those kinds of programs have got to be available to the judges from which to choose, rather than judges saying, "Let's incarcerate this person because I have no other option." So if there were more community correctional programs that would help that person not only in terms of punishment but in terms of rehabilitation, if you will, reintegration: Pay back your community where you did the damage.

**Mr Kormos:** Most judges also haven't been in any of the correctional institutions to which they sentence offenders. Is it important for them to know where their clientele, if you will, is going?

**Mr MacInnis:** I wouldn't single out just judges. I would suggest that people working in the criminal justice system should all learn a little bit more about what the other branch is doing.

**The Chair:** That completes the length of time for discussion with Mr MacInnis. Mr MacInnis, thank you very much for coming before our committee.

**Mr Preston:** Mr Chairman, could I just get something on the record? It wasn't a question; it's more of an observation.

There's been a lot of talk of the YOA and the ability of judges to put people in certain spots and no programs. In case of YOAs, judges have no power as to where a YOA goes. They cannot dictate the placement of YOAs;

they must only dictate sentence, and that's taken up by other bodies as to where that sentence is carried out.

**Mr Kormos:** If I may respond to that — I feel I should be charging for this —

**Interjection:** I thought you did these pro bono.

**Mr Kormos:** Only for people for whom I have sympathy. But neither can criminal court judges. It's for a judge to impose sentence; it's for corrections to determine where it's served.

**The Chair:** Thank you both for that, adding some substance to the morning. We're now ready for the concurrences.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Brock.

**The Chair:** You've heard the motion. Does anyone wish to speak to it? Are you ready for the question? All those in favour? Opposed? It's unanimously agreed to.

**Mr Bob Wood:** I move concurrence in the intended appointment of Ms Fletcher-Dagenais.

**The Chair:** You've heard the motion. Does anyone wish to speak to it? Debate? All those in favour? Opposed? It's carried unanimously.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr MacInnis.

**The Chair:** You've heard the motion. Any debate? All those in favour? Opposed? It's carried unanimously. Thank you for that.

Just before we adjourn, just a gentle reminder that if any of you have any interest in bringing forward a suggestion for the committee to deal with an agency, board or commission after we've adjourned, if we adjourn, for the winter break, you should do so. Let me know and we'll call a meeting of the subcommittee.

**Mr Crozier:** I just wanted to mention for us to think about that it seems to me earlier on we were in some discussion about going into the north and looking at some issues there. I just didn't know, since the government pretty much controls that, if they had given any more thought to that. We can take it up at a later time, but —

**Mr Bob Wood:** To date, we've not been able to engender a high level of interest in the House leader's office in doing this.

**Mr Crozier:** That's why I asked. It's my understanding that the Legislature's going to be sitting on into February anyway, so perhaps we wouldn't get an opportunity to do that.

**The Chair:** I had heard that nasty rumour myself. I don't know if it's true or not.

**Mr Crozier:** Nothing nasty about it. I like the idea, because I can't afford to go to Florida like many of them and I just want them to be miserable here with me.

**Mr Kormos:** Chair, please, in view of the outrageousness of the American intervention into Canadian affairs with the Helms-Burton bill, surely nobody is contemplating going to Florida.

**The Chair:** No, we'll see you all in Cuba. Any other business? If not, we're adjourned. Thank you.

*The committee adjourned at 1124.*









## CONTENTS

Wednesday 6 November 1996

<b>Intended appointments</b> .....	A-519
Mr Richard Brock .....	A-519
Ms Carol Fletcher-Dagenais .....	A-522
Mr Ian MacInnis .....	A-525

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

Mr Rick Bartolucci (Sudbury L)  
\*Mr Bruce Crozier (Essex South / -Sud L)  
\*Mr Ed Doyle (Wentworth East / -Est PC)  
\*Mr Douglas B. Ford (Etobicoke-Humber PC)  
\*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)  
Mr Michael Gravelle (Port Arthur L)  
Mr Bert Johnson (Perth PC)  
\*Mr Peter Kormos (Welland-Thorold ND)  
\*Mr Floyd Laughren (Nickel Belt ND)  
Mr Gary L. Leadston (Kitchener-Wilmot PC)  
\*Mr Dan Newman (Scarborough Centre / -Centre PC)  
\*Mr Peter L. Preston (Brant-Haldimand PC)  
Mr Tony Silipo (Dovercourt ND)  
\*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

Mr John L. Parker (York East / -Est PC) for Mr Fox  
Mr E.J. Douglas Rollins (Quinte PC) for Mr Bert Johnson

#### **Also taking part / Autres participants et participantes:**

Mr John Gerretsen (Kingston and The Islands / Kingston et Les Îles L)

**Clerk /Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service



A-33

A-33

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 20 November 1996

# Journal des débats (Hansard)

Mercredi 20 novembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
Greffière : Donna Bryce



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 20 November 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 20 novembre 1996

*The committee met at 1010 in room 228.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr Floyd Laughren):** The standing committee will come to order. We have a full day before us with four intended appointments to consider.

We can start by dealing with the subcommittee reports. We've had requests from a number of sources, including the Premier's office as a matter of fact, that the subcommittee report be read, perhaps even in abbreviated form, into the record by the Chair and then moved so that there's a record on the Internet and a record in Hansard of what the subcommittee report contains. I'll try to make it as brief as possible before it's moved.

The first subcommittee report, dated November 14, deals with intended appointees for, first, the Ontario Securities Commission, Mr Stephen Adams, selected by the official opposition, to be considered December 4. The second is Ms Linda Frum for the Province of Ontario Council for the Arts, to be considered on December 4. The third party also requested that Linda Frum appear before the committee.

That's the November 14 subcommittee report, and I should have read the other one first, I guess. The subcommittee report, dated November 7, deals with, first, Mr Robert Dobson for the City of Etobicoke Health Unit Board, to be considered November 27, and, second, Marie Hubbard for the Licence Suspension Appeal Board, to be considered on November 27, one week from today.

That's the business of the two subcommittee reports, which are now ready for action.

**Mr Bob Wood (London South):** I move adoption of the reports of the subcommittee dated November 7 and November 14, 1996.

**The Chair:** Thank you. You've heard the motion and you know the content of the subcommittee reports. Is there any debate?

**Mr Bob Wood:** I'd like to speak to that briefly. I notice today we have four names on our list. It was my understanding our policy was that we would not have more than three per day. I think that's a sound policy because if we get into any discussion of any nature we run out of time. I'd like to request in the future, if the committee shares my view, that we have no more than three on any given day. I'm not necessarily putting it in the form of a motion, but if there's a consensus on that, I would hope that might be a direction to those organizing this.

**The Chair:** All right. Can we deal with the motion, and I'd ask the clerk to speak to that because there were certain problems with scheduling that led to four people

today. It wasn't that we just willy-nilly decided to have four intended appointees today. It wasn't done for that reason. So can we deal with the motion, and then I'll ask the clerk to speak to that issue you raised, which I think is appropriate.

Is there any debate on the motion itself by Mr Wood on the subcommittee reports? Are we ready for the question?

All those in favour? Opposed? It's carried.

Thank you for that.

**Clerk of the Committee (Ms Donna Bryce):** If I could just point out, Mr George Beatty and Ms Laurie Scott, who are scheduled for today, couldn't make their previous appointments. So the committee did agree to defer Mr Beatty's appointment and they did agree to defer Ms Scott's appointment. We didn't have any leeway in Ms Scott's appointment. If we didn't schedule her for today it would have run out, and Mr Beatty couldn't be scheduled for next week. That's why we put them on today.

**Mr Bob Wood:** Okay, but I think it would have been possible to have deferred others, and I think it's inappropriate, except in extreme circumstances, to have more than three on a day.

**Clerk of the Committee:** The only problem with that is if we defer others, then we get a backlog down the road at some point. But I agree with you that three is — in fact, in the next couple of weeks I think we do stick with that.

**The Chair:** Maybe a way of avoiding this in the future would be if it looks as though that's going to happen the subcommittee should get together to talk about it.

**Mr Bob Wood:** I don't want to overkill this issue. I'm not complaining about today. I think if we find ourselves having to do that very often we should talk about it.

**The Chair:** Fair point. All right, are we ready to move on? Yes, Mr Johnson.

**Mr Bert Johnson (Perth):** I have a question about this Internet. Can it only be activated by your voice on it? Is there not a better way than us sitting around listening to you read those into the record and we adopt them? Can somebody not zap them into the Internet without your reading them?

**The Chair:** I can't answer that question. I do not know.

**Mr Rick Bartolucci (Sudbury):** Virtual reality.

**The Chair:** I'm sorry, Mr Johnson, I don't know. We can find out.

**Mr Bert Johnson:** I would suggest we look at another method.

**The Chair:** Okay, thank you for that. Are we ready to move on?



## INTENDED APPOINTMENTS

### GEORGE BEATTY

Review of intended appointment, selected by official opposition party and third party: George Beatty, intended appointee as member, Council of the College of Physicians and Surgeons of Ontario.

**The Chair:** Mr Beatty, welcome to the committee. If you would take a seat at the table, we have a tradition of the intended appointees making any opening remarks they might want to make, and then we rotate among the three parties with questions of you. So whenever you're ready.

**Mr George Beatty:** Thank you for accommodating me today. I was involved with a lengthy OMB hearing which required my presence elsewhere.

I noticed when I came in this morning there's a large sign up on the front stairway which says, "Watch Your Step," and I wasn't sure who that was referring to.

**The Chair:** It was put there for you.

**Mr Beatty:** I was raised in Fergus, Ontario, which is a small town in Wellington county north of Guelph. I obtained degrees in business and law from the University of Western Ontario and worked while I was at university at a storefront legal clinic. I articulated for a Toronto law firm, Lash Johnston, which is now part of Lang Michener.

During that time, I had the good fortune to work with Phil Isbister, who recently passed away. He helped draft the Health Disciplines Act, and I assisted him with several cases representing doctors before the College of Physicians and Surgeons at that time and also as prosecutor for the College of Pharmacists.

During that time as well, I was counsel representing a widow at the coroner's court, a very interesting situation for someone who did not yet have his law degree, to handle a jury trial. As a result of that, I was representing the widow of a hardrock miner who was on a partial disability and died in a car accident. We were able to prove before the coroner's jury that his death was due to an industrial injury, and I was successful in gaining his widow a full pension, the first time in Canada that had happened.

I moved from Toronto to Gravenhurst in Muskoka in 1977 and became involved with various community organizations, resulting in finally being awarded the Canada 125 medal for community service in 1993. I served six years as a director of the Algonquin Forestry Authority, two years as president of the chamber of commerce, two years as president of the Muskoka District Law Association and three years as chair of the South Muskoka Memorial Hospital. In that capacity, I was co-chair of the three-hospital restructuring committee which has been reviewing the delivery of hospital and emergency services in consultation with the district health council.

I worked with three governments on an upgrading project to modernize facilities and health care systems and introduced CQI, a new management team and new bylaws at our hospital. We have secured and maintained three-year accreditation for our hospital, an outstanding model for other hospitals of our size. I've also assisted with the founding of a women's shelter in Bracebridge and was a founding director of the Muskoka Legal Clinic.

My family has always been interested in health care since my father died — I recognized this morning that he was five years younger than I am today when he passed away from leukaemia. My sister trained as a nurse at Toronto General Hospital and is currently the dean of nursing at a university in Melbourne, Australia, and, I suspect, the only female dean in Australia. My mother served for many years as a director of Bellwoods nursing home here in Toronto. My brother started off in his first job as an EA for health minister Bert Lawrence and subsequently became a federal Minister of Health. My son Geordie was born at Mount Sinai Hospital very prematurely and survived due to the excellent care there and at the NICU at Soldiers' Memorial Hospital in Orillia.

Section 3 of the Regulated Health Professions Act provides that the health professions are regulated and coordinated in the public interest and appropriate standards of practice are maintained. We are to ensure that individuals have access to services provided by the health professionals of their choice and that the public is treated with sensitivity and respect in their dealings with health professionals, the colleges and the board. I tendered my application in the belief that my background, experiences and abilities were appropriate to serve the public interest as a director of the college.

Those are my submissions.

1020

**The Chair:** Thank you very much for that. Any questions from the government members?

**Mr Bob Wood:** We will reserve our time, Mr Chair.

**The Chair:** From the official opposition?

**Mr Bartolucci:** Good morning, Mr Beatty. Thank you for appearing before us. I noted that your application was forwarded to the Ministry of Health and was reviewed by staff. Did you see the ad in the paper? Did someone encourage you to apply for the job?

**Mr Beatty:** No, sir. What happened was after the government changed last year, I wrote a letter to the Premier's office offering my services particularly in the health care area. When the Health Services Restructuring Commission was established, I wrote to that one saying that with my modest experience in small towns, I had had some experience in restructuring of hospitals and looking at services and would be delighted if there were a position available on that committee.

I had given that a great deal of thought for several months, and by the time I had written, I guess the decisions had already been made. A letter came back thanking me for my application and suggesting that there were other places that I might be able to serve health care professionals. It was my choice to apply for the College of Physicians and Surgeons.

**Mr Bartolucci:** So they gave you a list of available opportunities and you chose one?

**Mr Beatty:** The suggestion was that there were a number of boards, commissions and agencies in Ontario and I should go to my local library, see if there was one I was interested in and make an application.

**Mr Bartolucci:** Having just undergone restructuring in Sudbury, I wish you had been on the panel, as opposed to the ones who were, but that's a personal observation that you shouldn't have to comment on.



What do you consider your role to be as a member of this particular board?

**Mr Beatty:** I think it's quite clear that the position of non-professional members is to protect the public interest, and that's certainly my interest. I'm very concerned about the condition of emergency services, for example, in small hospitals, the plight of northern practitioners, a situation such as Minden hospital right now, which is having difficulty keeping its emergency department open, some practice problems that some of the physicians are experiencing in obstetrics, for example, and those who are internists seem to be having problems with practice as well. My concern is that the public continue to have access to appropriate medical services.

**Mr Bartolucci:** You're obviously familiar with the job action the obstetricians undertook over the course of the last little while.

**Mr Beatty:** It caused me a great deal of concern because of the problems with service to the public. I know from my own small community that the doctors who have been doing obstetrics are now aging — I say that advisedly, because they're my age — and they no longer want to stay up all night to deliver babies and then run a clinical practice during the day. It's a serious problem that they're facing. They're getting tired.

**Mr Bartolucci:** You realize that they withdrew services. Would your position, either support or non-support of that particular job action, change if and when you assume your role on this board?

**Mr Beatty:** No, I think the job of the public members, as I stated earlier, is to represent the public in these matters and ensure that services are available.

**Mr Bartolucci:** How would you have represented the public in a demonstrative way with regard to this job action?

**Mr Beatty:** First of all, I'm not a member of provincial Parliament, so the position of being able to affect the will of government is not the same as you yourself would have, sir. I think it's to negotiate, to find common ground if possible, to ensure that the sort of confrontation doesn't arise where job action is required. That would be my concern.

**Mr Bruce Crozier (Essex South):** Good morning, sir. The College of Physicians and Surgeons of Ontario is a self-regulatory body, and we know that during this current crisis we have, the Minister of Health has written to the regulatory bodies to suggest that they institute certain penalties. The OMA in particular, which is made up of members of the college and others, has looked upon it as being a bit out of line for the Minister of Health to intervene in the disciplinary area of practitioners. How do you feel about that?

**Mr Beatty:** The college is a creature of statute and as such has only those powers which are granted to it under its legislation. The college cannot exceed those powers. I don't know how the college could act more effectively without exceeding the bounds of its jurisdiction. It can make recommendations, but I don't see how it could do anything other than consider and perhaps respond the way it did under the circumstances unless there's some change in the legislation. I'm not privy to what the discussions were, obviously, but I gather the college was acting under

legal advice. That being the case, they would have been advised as to the appropriateness of their response.

**Mr Crozier:** But is the council of the College of Physicians and Surgeons able to enact policies that involve the area of discipline?

**Mr Beatty:** Yes, for appropriate purposes, I think.

**Mr Crozier:** So there is some scope to it, but you're saying that perhaps it would have been beyond that scope to follow the suggestions of the Minister of Health.

**Mr Beatty:** Without being privy to legal advice, I don't know, but I suspect that's the case.

**Mr Tony Silipo (Dovercourt):** Mr Beatty, you mentioned in your opening comments your brother's political involvement. Could you tell us please about any partisan political involvement you've had?

**Mr Beatty:** Yes. I've been involved in student politics, to start off with, at the University of Western Ontario, where I served on the senate appeals committees — the admissions and appeals. I served on that committee with David Peterson, as a matter of fact. I was involved as speaker of the university's student council. I became involved with the Young Tories at that time, have kept up a membership with that party for some period of time. I ran as candidate back in 1987, at the time the Liberals did so well here in the province of Ontario. I stood again as a potential candidate the last time around but obviously don't represent my riding.

**Mr Silipo:** I want to come back to this point about the role of the college as you see it, as a potential member of that college, in this ongoing dispute. I took from your replies earlier that clearly the role of the college is somewhat limited, but you thought there might have been a role in terms of suggesting ways in which the dispute could be resolved. Specifically on this question of disciplinary action, are you comfortable with the position taken by the college in rejecting the request of the minister to discipline physicians who were protesting by way of withdrawing their services?

**Mr Beatty:** Mr Silipo, I'm not sure I can answer that with any sort of confidence. I think there may be a difference between concerted job action and individual choices being made by professionals. Again, I'm not sure what legal advice they had on that issue. I note there certainly have been problems with that sort of interpretation in the past. That's the best I can offer.

**Mr Silipo:** I want to probe a little bit further. While the council clearly gave an answer, it's not necessarily the end of the matter, because the dispute is still there, the issue is still before us, and, whatever we feel about this issue in terms of who's right or who's wrong, we still have an issue that's out there that needs to be resolved. It would not surprise me to see the minister again try to call upon the council to do something which, as I see it, particularly right now, would not be appropriate. I want to ask you what your sense would be. I appreciate that you don't have at this point all the information in front of you, but I want to probe a little further in terms of, what's the approach you would take as a member of the council faced with a request from the minister, or indeed an issue brought to you by any other individual who is able to, requesting disciplinary action



against a doctor or doctors who have withdrawn services by way of protest?

**Mr Beatty:** I guess it depends on whether the withdrawal of services meets the requirements of professional practice under the act. If a doctor has abandoned a patient in extremis, has created a health crisis for a patient by not offering services, I think perhaps it would be a matter for discipline. I couldn't anticipate further than that.

1030

**Mr Silipo:** I want to go back to another area that you had some clear experience in. You mentioned your membership on South Muskoka Memorial Hospital. Your résumé here points that out. You were a director from 1989 and then a chair of the board from 1992 to 1995. Could you tell us, from that experience, using perhaps the South Muskoka Memorial Hospital as an example, what you see happening as a result of the cuts that hospitals across the province, particularly this hospital, are having to deal with as a result of the cuts imposed by the Minister of Health?

**Mr Beatty:** Hospitals in a certain way, because they are bricks and mortar, have the problem that they're bound by their walls. Some interesting experiments were being done by the last government on hospitals without walls, and I suspect that will continue on. The hospitals themselves are very powerful members of the health care community because they have the organization and the building to go with it.

We are taking every reasonable effort, first of all, to look at streamlining and economizing within our own facility, which we think we've pushed just about to the limit at this stage, and now we're reaching out beyond, with the three hospitals committee, to see whether, by regionalizing services and regionalizing our human assets, we can create further savings so that patient care is not affected. That's our major concern: patient care and trying to keep that maintained to the highest level possible.

**Mr Silipo:** Do you know the extent of the cuts that will affect the South Muskoka hospital over the next couple of years?

**Mr Beatty:** Yes. I think we're looking at 5%-type cuts; between 4% and 5% a year.

**Mr Silipo:** Is your sense that that level of cuts can be absorbed in the restructuring without affecting the level of care provided?

**Mr Beatty:** What we're doing right now is looking at our core services and saying we may not be able to offer all the services we have in the past, and is it appropriate for us to regionalize those services and offer them elsewhere?

**Mr Silipo:** So clearly there will be not only a change in services but some services may no longer be offered.

**Mr Beatty:** That's correct.

**Mr Silipo:** I want to ask you about another area which would come back more specifically to your role as a member of the council, and that is around the issue of foreign-trained doctors. I raise that both in the context of a sense of justice for people who come from other countries with credentials as doctors and, after they go through the appropriate tests they have to go through to

prove that they are qualified at a certain level, then find themselves somewhat blocked because they're not able to get the internship that's required for them to eventually be able to set up practice. An article just the other day pointed out that only about 24 of up to 500 foreign-trained doctors are granted those kinds of internships.

Do you see the college needing to play a more active role? What would be your particular approach to this, in terms of there being a pool of people who clearly are qualified or believe they are qualified — in many cases people who are prepared to relocate, again addressing the other part of the point that I wanted to bring out, which is that we know that there continues to be a problem in terms of service in some parts of the province — yet this continuing resistance to looking at people who are trained in other countries in the same way that we look at people who are trained here? What would be your approach and your role as a member of the council to this problem?

**Mr Beatty:** I'm glad you brought that to my attention. That's something I certainly would like to know more about. I understand what you're saying, and I think if the qualifications are appropriate the opportunity should be given to someone to enter into practice. We have even more restrictive measures so far as lawyers are concerned. We can't transfer our skills from province to province, let alone country to country. Yes, it's something I'd certainly feel quite strongly about.

**The Chair:** Are there other questions from any of the members? If not, Mr Beatty, thank you very much for coming before the committee and sharing your views with us. We appreciate your presence here.

**Mr Beatty:** Thank you, Mr Chairman.

JOHN KRAUTER

Review of intended appointment, selected by third party: John Krauter, intended appointee as member, Halton Housing Authority.

**The Chair:** Mr Krauter, I don't think you were here for the beginning of Mr Beatty's presentation, but we have a tradition of the intended appointee making any opening remarks they might care to make and then having the members ask questions of you. Whenever you're ready, we're ready for you.

**Mr John Krauter:** Thank you, Mr Chairman, gentlemen. It's a privilege to meet with such an élite group of the assembly. I don't have any opening statements. With your permission, I've been through an experience that, since we have the whole Legislative Assembly represented here, might be of interest to you when you talk about deregulation and cutting red tape.

I happen to be involved in an operation with a laboratory. There were only three of them in Canada, and it's certified. I have a partner on that one, and since I'm getting out of farming we have to move a flock. We use them for bleeding purposes and we ship blood to the United States, to Canada and to the UK, blood plasma and things. It's quite a good business. The laboratory employs about 30 or 40 full-time people.

Making the changes, we decided we had to build some new facilities down at Mount Nemo. Since June 15 we've



been trying to get permits to build facilities down there to house the animals, and we had to go through 11 organizations. We thought we had everything cleared through the Niagara Escarpment Commission and the chair of the regional; they gave us the go-ahead sign. We let the contracts for bulldozing, we put in the foundations, the water lines, the roads, and now all that needs to be put up is the building, and it's under way now.

Then Monday, lo and behold, I was down there. Some dissident or bureaucrat — I don't know — from Burlington comes out and says we have to have another permit, a building permit, and it has to be cleared through him, after we've had the go-ahead sign on the thing and we've been five months in the making.

I just tossed that out for some food for thought for you people who make these regulations and laws that we have to abide by and fight out here.

Those are my opening remarks, Mr Chairman, and I'd be glad to take any questions that any of you have.

**The Chair:** I'm glad we were able to allow a forum for you to get that off your chest. It's not often that people equate bureaucrats with dissidents. I think that's most appropriate. Are there any questions or comments from the government members?

**Mr Bob Wood:** We'll reserve our time, Mr Chairman.

**The Chair:** Thank you for that. From the Liberals, Mr Bartolucci.

**Mr Bartolucci:** Very few questions, maybe a bit of advice: It looks like it's going to be an OMB ruling, so why don't you send one of these people out to get George Beatty before he gets too far away? He seems to have experience in front of the OMB.

The candidate search process indicates that there are a number of ways you could become a member of the housing authority. I'd just like to explore, how did you become interested? Who suggested? Why did you decide? Those types of questions.

**Mr Krauter:** Except for my brief stint with the Ministry of Agriculture, if you have my résumé you saw the capacities in which I served there. It goes back. I've been in the farming business. I came from a family of eight kids and I was in the middle, so I had to learn to do things. I was the only one who was privileged enough to go to university, and stayed in agriculture. The rest of them all got out of it. I don't know whether there's a lesson there to be learned. But I've been busy on the farm and in our riding. We've lived in Halton North for 22 years. I own the farm out there and I've been in the sheep and lamb business. We happen to be located in the best lamb market in North America, right here around Toronto.

So when the election was held last fall — I've known the Chudleighs for a long, long time and been involved in agricultural organizations. I had known Ted Chudleigh when he was in the marketing branch at the Ministry of Agriculture and thought very highly of him. I said to him when he got elected, "If there's any way I can help you out in any capacity, feel free to call on me." I didn't know, until someone called me and asked me for a résumé, that I had even been considered. That's the history of how I'm in here. Evidently Ted must have submitted my name.

1040

**Mr Bartolucci:** So you don't have this passionate desire to serve on the Halton Housing Authority. You're just doing your buddy Ted a favour.

**Mr Krauter:** I'll tell you, every year I get the annual report. I noticed in this year's annual report — I just got it a few days ago and looked it over. But every day I marvel at how we can throw so much money around and get such few results. That was one reason it created my interest in this. I haven't been raised that way. I've always been kind of old-fashioned. I've been taught that you pay your way as you go along and you pay your bills.

I look out there and I see there are nine members on the board presently. Only three have been on there longer than a year. There have been six new members put on last year in February, and I'm at a loss to understand why we had such a big turnover. That's another thing that's created a little interest on my part. We've sold the farm and we're getting out of the farming business, so I have a little more time. I hope to spend a little time in Arizona when the snow gets deep.

**Mr Bartolucci:** Given that background and having those strong beliefs — this is a serious question because I think it's a crucial one — what ideas do you have with regard to local housing authorities? Which direction would you like to see them go? What are your views with regard to public housing etc?

**Mr Krauter:** You want me to tell you my thinking on that. Is that what you're asking for?

**Mr Bartolucci:** I want your opinion, as honestly as you can.

**Mr Krauter:** As I look over the last two years of reports, and I just looked over the last one and counted the money that's going into that, it's about \$1,200 per unit in Halton region. I think there's a better way we can help needy people than by building bricks and mortar out there to put them in, and that's one of my beliefs. I think there are other people who can do that job better. In my experience, even some in government, I've never seen private enterprise that can't do a better job of running certain aspects than we can in government.

That was one of my aspirations, to cut out some of this unnecessary waste and spending, inefficiency. For 743 units in that size it looks to me like a drop in the bucket compared to what it should be with nearly 400,000 in population. That's part of my thinking.

**Mr Bartolucci:** So you'd sell off the bricks and mortar. Is that what you're saying?

**Mr Krauter:** I'd want to look at it. I don't know. Like I said, I'm not a housing expert but I would like to be closer to it and find out more about it. I think if there are better ways to do it, then we should look at better ways to do it.

**Mr Bartolucci:** Are there any particular ideas or initiatives you'd like to explore at the housing authority, any particular initiatives you strongly believe in that you'd like to see implemented?

**Mr Krauter:** A \$1,200-a-month supplement to live on our own property, in our own bricks and mortar, looks to me like an awfully expensive way to deal with needy



people. All I'm saying is that I think there's got to be a better way to do it.

**Mr Bartolucci:** But you haven't got any tangible ideas that you want to share with the committee this morning?

**Mr Krauter:** No, not right now. I'd want to look at it before I make any hard statements.

**Mr Bartolucci:** All right.

**Mr Crozier:** Good morning, sir. I was interested as well in your opening remarks. I want to get to know you a little better. You had some strong opinions about bureaucrats, but you were a bureaucrat for 18 years. Did your opinion change after that?

**Mr Krauter:** A lot of people told me I wasn't a very good bureaucrat. I had the president of the Heinz soup company come in and see the minister. The president of Campbell soup came up there and had lunch with Mr Stewart one day and he wanted to know how he got me to be a bureaucrat. He said I didn't fit the mould. I don't know whether that answers your question.

**Mr Crozier:** I appreciate that. You've had a very successful career in farming and working with the government, so now you want to take some time off and devote some time, and I appreciate that. Do you have any sense of what kind of time it will require to be in the housing authority for its meetings and certain other committee meetings that will be required?

**Mr Krauter:** I have no idea at this point in time, but whatever it takes, if I take on the job, I'll do it.

**Mr Crozier:** I'm sure you will. But you said that after this career, you've earned this rest, you were going to go to Arizona. Is it your plan to spend the winter in Arizona?

**Mr Krauter:** I go back and forth now maybe a month at a time but I don't stay too long. If I get bored I come back home and get my feet on the ground here.

**Mr Crozier:** Do you think that will interfere with the requirements of your time for the housing authority?

**Mr Krauter:** Oh, it could, I suppose, but I don't intend to let it interfere. Like I said, if I take on a job, if I can't, I won't be at the job too long.

**Mr Crozier:** So you're saying to us that if you can't attend the monthly meeting and the tenant meetings and workshops, you then will resign from the authority. Is that the case?

**Mr Krauter:** No, that isn't exactly what I said. If I can't do some good on there — in other words, I don't believe you should be sitting around spinning your wheels and occupying chairs if you can't accomplish something. But if I take on the job I'll meet the requirements of the job.

**Mr Crozier:** Okay. I guess it can't be any clearer than that. There is a lot of money spent in this area, and I know the government has made it relatively clear in that they even have a statement, "Doing better for less," in which they generally wrap up by saying: "This government recognizes that the role of the private sector is the development, delivery and management of housing for Ontarians. The ministry believes that government should assist needy individuals in affording decent shelter by providing shelter subsidies to individuals rather than bricks and mortar." I think you've more or less said that.

It's also been suggested that the government would like to sell the bricks and mortar it owns now. Do you believe there's a market in the private area where they will buy existing government housing, spend the considerable amounts of money we are told will be needed to bring it up to some standard?

**Mr Krauter:** Well, land, they aren't making any more of it, so the land under some of these units, and I know them pretty well — we don't have any around Milton particularly but I guess we've got some good councillors and some pretty good politicians locally who look at things realistically — yes, I think you can get value. In other words, I think we've created a few ghettos out there, in my honest opinion in this thing. Maybe some of those buildings will be worth more if you just bulldoze them over and sell the land. Let somebody start over again on them.

**The Chair:** Can we get your wrapup question, Mr Crozier, please?

**Mr Crozier:** Thank you, Mr Chair. That's it.

**Mr Silipo:** Mr Krauter, you mentioned earlier your relationship with Mr Chudleigh. Could you tell us if you are a member of a political party?

**Mr Krauter:** Yes. I have been for 40 years.

**Mr Silipo:** A member of the Conservative Party?

**Mr Krauter:** The same party for 40 years.

**Mr Silipo:** All right. You said earlier that you were wondering about the turnover in the members of the board. I'm assuming that you were referring to those. Is that right?

**Mr Krauter:** Yes. All in one month, sir, and that raises a big question in my mind.

**Mr Silipo:** You're part of that turnover, I would say to you, because the present government is simply replacing all the previous members on the board. That's what's going on.

**Mr Krauter:** Who replaced those last February 1995? Did you people do that?

**Mr Silipo:** In February 1995?

**Mr Krauter:** Yes, six new members came on the board in February 1995.

**Mr Silipo:** Probably that's what's happened.

**Mr Krauter:** Okay.

**Mr Silipo:** I want to go a little bit beyond in terms of some comments you were making around your notion that you pay your way and cutting some of the inefficiencies. One of the points that's been made, interestingly enough by tenants as well as landlords, in this whole question of the government getting out of the housing business is that it will reduce if not eliminate significantly affordable housing. That is, when you look at the range of affordable housing, and I realize that the cost of housing has gone down over the last little while relative to what it was, if you look at it over the long term in terms of the price, the reality is that if the government were out of building affordable housing, I don't think the case could be made that the private sector has had a good track record of building affordable housing.

**1050**

As a prospective member of a housing authority, if you were going to support a government that was going to get out of the housing business, the bricks and mortar, as you



called it, how would you go about ensuring that there will continue to be affordable housing provided for people in the province?

**Mr Krauter:** There's probably more than one reason. I'll give you a little example. I have a property out there that's exactly like the house I live in. It's quite a nice home. I get \$800 a month, and when I see the housing authority's financial report, we're subsidizing the needy with \$1,200 a month. I'd like to get one of those in my house, I don't mind telling you, but I'm getting what the market will pay out there for rent. I have to wonder why we are spending that kind of money when they can rent properties like mine out there for \$800 a month. It must be going on. Maybe, to be perfectly blunt, the government has been in the way of developers. I don't know. I know a few developers. I'll ask them that question, why they aren't.

**Mr Silipo:** I think that's a relevant question, because we can get caught in the situation of the moment and say, "Well, now housing is more affordable, rent is more affordable than it was before," generally speaking. But if we look back over the last 20 or 30 years I don't think we can make that claim, so it would seem logical to suggest that you can't just leave it to chance. That's why I'd be interested in what you see as your role. If the government were going to get out of the role of building housing, as clearly they have indicated they intend to do, if they were going to the next step and start to sell off the existing stock of public housing, how do we ensure there is housing that people can afford?

**Mr Krauter:** I think the marketplace will take care of that. If people can make money at building housing and get rid of some of these rent controls — I may be touching some sore fingers here when I say that — hell, the marketplace will adjust and take care of it and builders will build if they can make some money at it. Maybe you can explain to me what affordable housing is. What do you call affordable housing?

**Mr Silipo:** I think affordable housing is housing that families of middle and low income particularly can afford to sustain.

**Mr Krauter:** What income do you consider low and middle?

**Mr Silipo:** We can get into a long discussion on that. I think the reality is — you tend to rely on the private sector doing that — the private sector, I would say to you, hasn't done it. The track record shows it hasn't done it. Rent controls were brought in by a Conservative government, a Conservative Premier, in part on that understanding, that the private sector in and of itself wasn't going to do the job and wasn't doing the job. We disagree fundamentally on that point.

**Mr Krauter:** I've always been a free-enterpriser. I pride myself, as long as I've been in the farming business, and I brag about it, in that I've never taken one penny of government subsidies or grants, crop insurance; I never have in my lifetime and I was raised that way. My dad only went to fifth grade in school but he learned that one. He said the biggest favour government can do to agriculture is to stay out of the business and let them go. Every day, the longer I live, the more I believe that.

**Mr Silipo:** I assume, though, having said that, Mr Krauter, that you've never turned back the land tax rebate that you get.

**Mr Krauter:** I don't consider that as a land tax rebate. That tax shouldn't ever have been there to begin with.

**Mr Silipo:** I agree with you there too.

**Mr Krauter:** Right now we pay 75 cents out of every dollar out there for school taxes and it's outrageous.

**Mr Silipo:** I agree with you on that point. I don't disagree with you. I agree with you on your basic notion that people should be encouraged to pay their way. You talked about that as the way you were brought up. That's certainly the way I was brought up. But the point we can't forget is that that isn't possible for everyone in the province all the time, so it seems to me that we have a role, as a society, through our government to also look at the best way we can assist people.

**Mr Krauter:** I don't deny that. I believe we are our brother's keeper and that there are some people, through no fortune or misfortune of their own, get into trouble and they've got to be looked after. But I know with the thoughts of regardless of what political party you are, there are never going to be people going hungry in this country whether they have any money or whether they don't have money —

**Mr Silipo:** Unfortunately we have more and more going hungry.

**Mr Krauter:** — and we're always going to have a cheap food policy. You politicians are never going to let anything other than a cheap food policy because otherwise you don't get elected.

**Mr Silipo:** Thank you, Mr Krauter.

**The Chair:** Are there any further questions from the government?

**Mr Bob Wood:** We'll waive our time.

**The Chair:** Just before you leave, Mr Krauter, I would be interested in seeing, and I will try and get it, the annual report from the Halton Housing Authority to which you refer. The appointments which go through this committee, and this is the report, A Guide to Agencies, Boards and Commissions, show that in 1995 there was only one appointment to the Halton Housing Authority, and that was in March 1995, so I want to get a copy of that.

**Mr Krauter:** I just got the copy last Friday and I looked in there very carefully. The chairman has been there since 1987 and another member has been there since 1987. He is also a councilman from Burlington; he's also chairman of the police services board out there and he sits on the housing board. He's a good man. I don't object to that one and he's been there. Other than that, there are six members who are all appointed in February and it's right in the report in bold, hard print.

**The Chair:** I will get a copy of it because that's not —

**Mr Krauter:** I'll give one to Ted Chudleigh and he can see that it gets transferred over to you, Mr Laughren.

**The Chair:** Thank you for appearing before the committee this morning, Mr Krauter.

**Mr Krauter:** Thank you. Just keep those tax rebates coming back until you change the tax system. Thank you, gentlemen. It's been a pleasure again. We used to spend



a few hours in this room over the years, at estimates. I'm sorry Peter isn't there because I always thought quite highly of his predecessor.

1100

#### REID SMITH

Review of intended appointment, selected by third party: Reid Smith, intended appointee as a full-time member, Kent and Chatham Housing Authority.

**The Chair:** Welcome to the committee. We would be pleased to hear any opening comments you might have before the members begin asking you some questions.

**Mr Reid Smith:** Certainly. It's a hard act to follow here, but I'd first like to introduce myself as Reid Smith. That's my first name.

I was born and raised in Oxford county, in a little village called Norwich, and got transferred with my job to Chatham in 1980 with Big V Pharmacies, which has recently been bought out by Shoppers Drug Mart. My status there has been a front-shop manager for 18 years. I also pride myself in that I am a member of the Chatham Jaycees and just recently received a senatorship for the work I was involved in with the community through the Chatham Jaycees. I'm also an active member, through my business, of the Chatham and District Chamber of Commerce and a volunteer in some fund-raising activities with the United Way of Chatham-Kent. I officiated for 14 years in hockey with the OHL and the international hockey league and the Ontario Hockey Association, so I take that, and some people may disagree with that, as fairness in the rights.

**Mr Bartolucci:** See you in Sudbury.

**Mr Smith:** I'm married to Kim and have two young children, Craig, six, and Kelly, two, who has Down syndrome. That is another big eye opener I had in the last couple of years, bringing up a Down syndrome child, but we love her very much and she is a joy. That's all I have to say, Mr Chairman.

**The Chair:** Thank you, Mr Smith. Any questions or comments from the government members?

**Mr Bob Wood:** We'll reserve our time, Mr Chairman.

**The Chair:** Thank you for that, Mr Crozier.

**Mr Crozier:** I want to note, Chair, that the government is awfully quiet this morning. It certainly helps us to move along in these meetings.

**The Chair:** Don't tease the bears, Mr Crozier.

**Mr Crozier:** It certainly makes it more interesting when they aren't.

You have listened to the previous witness. Our questioning very well might be relatively the same because it is the housing authority we're speaking about. I can start off by saying you're a very busy person. Have you considered the time it takes to volunteer for this housing authority position? Will you be available?

**Mr Smith:** Mr Crozier, may I just add that I'm not officiating any more. Since we've had our youngest daughter I've had to give up officiating because it takes some time, and with work, and now that I'm a past Jaycee, as a senator the regular business meetings are out of hand. That's why I want to get back to being involved in the community as I have been as a Jaycee and working with the hockey and so on and so forth.

**Mr Crozier:** Let me say you don't look old enough to be a senator. Did you wear glasses when you officiated?

**Mr Smith:** I didn't like to wear them.

**Mr Bartolucci:** Well, when you get to Sudbury —

**Mr Smith:** I didn't like to wear them, but you've heard of the three blind mice.

**Mr Crozier:** There is quite a lot being said about public housing. The government has a number of units they are currently responsible for, so there's that question of, what do we do? Do we continue the way it has been in the past? But it's been indicated that the government would like to sell them off to private enterprise and do things a different way. Do you have any comment or feeling about that?

**Mr Smith:** Honestly, I don't have a comment. I would like to get on the board first and sit and listen to both sides of the story. As I stated earlier, as an official I like to take both sides of the story and feel what my gut feeling is on the choice when I sit on the board and make the decision at that time.

**Mr Crozier:** Do you have any opinion, prior to going on the board, as to how you feel philosophically about the need for some sort of subsidized or geared-to-income housing as opposed to whether it should be made available at all?

**Mr Smith:** I feel there is a need for the housing out there. With its 100,000 people and 600-strong units I feel that especially in Chatham-Kent there is some need for subsidies or for housing itself. Yes, I agree with that.

**Mr Crozier:** Have you visited the units in Chatham?

**Mr Smith:** As a matter of fact, I have a friend who lives in one and I have been in it personally.

**Mr Crozier:** Do you have any opinion as to the condition?

**Mr Smith:** It was a very strong building in very nice condition, well maintained, very nice facility.

**Mr Crozier:** Okay. Do you have any questions?

**Mr Bartolucci:** Just a few brief questions. The candidate search process has a variety of ways that you can be informed about an opening on a local housing authority. Could I ask how you were informed?

**Mr Smith:** By a personal friend who is a retired Hydro employee. I had shown him my interest in getting involved in the community and he had understood, through the MPP, that there was a job available and asked me if I'd be interested in submitting my name. At that point I put in my résumé to Jack Carroll's office, which was forwarded here to Toronto.

**Mr Bartolucci:** Through Jack's office. Have you ever been involved in any landlord-tenant issues in the past?

**Mr Smith:** Not myself. I was a tenant for several years as a younger fellow, leaving home and moving to Chatham. As an 18-year-old I lived in a few apartments through my time.

**Mr Bartolucci:** You never got involved in tenants' associations or anything like that?

**Mr Smith:** Not at all, sir.

**Mr Bartolucci:** You know, it is not a tough act for you to follow because, and I will be very sincere when I say this, you understand the need of individuals because you have a young daughter who is going to require individual assistance. I suggest that your sensitivity to the



issues is already there and it's quite profound and that you'll be an excellent appointee.

**Mr Smith:** Thank you very much, sir.

**Mr Silipo:** Mr Smith, I think my line of questioning will be quite similar. Can you tell us if you are now, or have ever been, a member of a political party?

**Mr Smith:** Yes, I am a card-carrying member.

**Mr Silipo:** Of?

**Mr Smith:** Of the Conservative Party, sir.

**Mr Silipo:** Thank you. There are other parties. That's why we ask from time to time.

I wanted to ask also about this question of your role, as you see it, as a member of the housing authority because you will be dealing with this question of how to run the housing that is there. There will be, through the restructuring, greater autonomy given to the local housing authorities. I would like to hear a little bit more from you about how you see your role. Where is the role of government in terms of providing affordable housing as you see it? Are you supportive of what the government wants to do in getting out of the bricks and mortar, as they call it, and what will that do, as I was asking Mr Krauter earlier, to the question of affordable housing in the province?

**Mr Smith:** I really can't give you a direct answer to your question but I will state, as I stated earlier, that I cannot see anybody living cold out in the streets because that's not the way I operate. As I sat with Jaycees and listened and looked at both sides of the story, when I sit on a committee I will be very active in the committee to make sure I am making the best decision, that I feel right no matter which way it goes. But I would like to get some more information from sitting on the committee, the board of authority, get some more facts before I can answer that question.

**Mr Silipo:** The difficulty that puts me in — I can't speak for the others and I appreciate that you may not be as familiar with this issue as you likely will be if you become a member of the authority — is that I also have to determine, as do other members of the committee, whether you are the kind of person who should be appointed to this body. I look for at least some understanding of the issue.

What would your reaction be if in the not-too-distant future you are faced with a decision from the government that says whatever the number of units now under the Kent and Chatham Housing Authority, those are gone, what you will be administering is no longer the housing that is there but simply the distribution of a number of subsidies that are given to individuals who live in your community? Is that a good thing? Is that a bad thing from your perspective? How would you react to that?

**Mr Smith:** Seeing the housing that is available in Chatham in Kent county, the bricks and mortar seem to be in fine shape. I'd like to see that continue on and I'd also like to see, as things get run down and rugged and used, that we get out of that business and subsidize people who cannot afford housing and in that way try and open it up to the private sector and get the buildings and bricks and blocks built by our private sector and get out of it as a government-funded —

**Mr Silipo:** How would you go about ensuring, or having the government ensure, that if you were to get out of that business, there continued to be affordable housing for people in the province and in Chatham-Kent?

**Mr Smith:** I would sit on the board of directors and make sure, the best way I could, that there is enough money out there that nobody is left without shelter.

**Mr Silipo:** And you think that would still be possible if the only funds you were then administering were simply subsidies, not capital dollars for the building and maintenance of buildings?

**Mr Smith:** I would make sure on my side that there would be enough money available — I would hope there would be enough money available to subsidize these people.

**Mr Silipo:** That's what I'm asking you: Do you think there would be enough money if what the government does is simply reduce its role to providing just rental subsidies, forget about the capital, forget about building any more, forget about keeping up the existing housing stock —

**Mr Smith:** Yes, I think there will be enough money.

**Mr Silipo:** — and simply rely on the private sector to build affordable housing?

**Mr Smith:** I think there will be enough money out there.

**Mr Silipo:** Well, I hope you're right. Thank you.

**The Chair:** Thank you, Mr Silipo. Are there any further questions?

**Mr Bob Wood:** We'll waive our time.

**The Chair:** Okay. Mr Smith, thank you for coming before the committee and providing the answers you did.

**The Chair:** We are running a little ahead of time. I don't know whether Laurie Scott is here or not. No?

**Mr Bob Wood:** Could we perhaps deal with concurrences, Mr Chairman?

**The Chair:** I think that is a good suggestion. Can we deal with the concurrences now, while we wait for Ms Scott, for the three people who have already appeared? All right.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Beatty.

**The Chair:** Do you wish to speak to it?

**Mr Bob Wood:** I do not, no.

**The Chair:** Any debate on Mr Wood's motion? Ready for the question? All in favour? Opposed? Unanimous.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Krauter.

**The Chair:** You've heard the motion. Any debate?

**Mr Silipo:** I'll say briefly, just for the record, I won't be supporting this or the next appointment. I think both Mr Krauter and Mr Reid are fine citizens but I just fundamentally disagree with their approach to this and can't support their appointment.

**Mr Bartolucci:** Mr Chair, I won't be supporting this appointment either. I would have hoped there was a greater reason for wanting to serve other than, "My buddy put my name in."

**The Chair:** Any further debate? Ready for the question? All those in favour of Mr Krauter's appointment, please indicate. All those opposed? It is carried.



**Mr Bob Wood:** I move concurrence, Mr Chairman, in the intended appointment of Mr Smith.

**The Chair:** Any debate on this motion by Mr Wood? Ready for the question? All those in favour of Mr Wood's motion? All those opposed? It is carried.

We still have to deal with Ms Laurie Scott of the Haliburton, Kawartha and Pine Ridge District Health Council. She is not here yet. Can we take a five- or 10-minute break and keep an eye on it if you can?

**Mr Bob Wood:** I'll stay around. We're ready when others are ready.

**The Chair:** Okay. We are adjourned temporarily.

*The committee recessed from 1112 to 1141.*

**The Chair:** The standing committee will reconvene. It would appear that Ms Scott is not going to appear. The committee should understand that this person has already had — I'm not saying it's her fault — an extension of 14 days. So at this point, if she's not here today, we can't automatically say, "Well, then, she appears next week." We would throw the ball back into the court of the appointments secretariat to determine what happens from here if that's appropriate, if the committee wishes.

**Mr Bob Wood:** I'm wondering, Mr Chairman, if the clerk might explain, for the purpose of the record, the arrangement that she is aware of for Ms Scott's appearance today.

**Clerk of the Committee:** I talked to her on the phone personally and informed her that today was the day. That was fine with her on the phone. We sent her a confirming letter stating the time, the place, the date. We sent her another confirming letter just to change her time from 10 to 11:30, so she's had two letters and a phone call.

At this point, as Mr Laughren said, the 30 days plus the 14-day extension that the committee has control over has expired. At this point if the committee still wishes to hear from her, we would send a request to the secretariat asking for a further deferral, at which point, if it was approved, we would just try to schedule her again. So it's up to the committee at this point what they want to do.

**The Chair:** In other words, you could presumably move a motion to have the secretariat respond to the dilemma, if they wish to ask for a deferral, to do so.

**Mr Silipo:** I want to be very fair about this, but I think that given what's happened, it would seem to me that if we were to simply note that she wasn't here, then presumably the course that would follow is that she would no longer be able to be considered for this appointment. If there was a good explanation that came up, I presume it would be possible for the secretariat to reappoint and for the process to start again. But I feel hard-pressed to say we should ask for a further extension, given the explanation we've just heard from the clerk. I think we should just follow the process, but what I'm saying to

government members is, if it turns out there is a valid reason why the individual wasn't able to be here —

**The Chair:** It's up to the secretariat to respond.

**Mr Bob Wood:** I think it's a question that once it goes through, it goes through, so if there are those who might wish to hear her, they have to act now.

**Clerk of the Committee:** Yes. If the committee doesn't have the opportunity to interview her within the time frame set out, the appointment will automatically go through.

**Mr Silipo:** It goes through.

**Clerk of the Committee:** That's correct. So if the committee wants to interview her before it goes through, there should be a motion that we request the secretariat to defer the appointment until the committee has had an opportunity to interview her.

**Mr Silipo:** Yes, sorry. I stand corrected. I thought I remembered the process as being that if we had requested that she be interviewed and she wasn't here, the process stopped.

**Clerk of the Committee:** Within the time frames, at some point, once the times have elapsed, the appointment can go through. That's why, if the committee wants, they need to pass a motion requesting the secretariat to allow this committee to interview her before the appointment goes through.

**The Chair:** Otherwise it's automatic.

**Mr Silipo:** I would so move.

**The Chair:** Okay. We have a motion before the committee, then — I'll interpret it that way — that the committee asks the secretariat to defer the appointment until there has been an opportunity to appear before the committee.

**Mr Bob Wood:** I would personally be prepared to recommend this to the committee as long as there is a time limit on it, which I would think — what is today? The 20th. It would seem to me that if we gave 22 days for this to happen, either it's going to happen or it isn't going to. I'd be quite happy to support that.

**The Chair:** What if you said by December 11, which is the last scheduled day for this committee to meet?

**Mr Bob Wood:** I'd be satisfied with that.

**The Chair:** Okay. Satisfied with that?

**Mr Silipo:** Sure.

**The Chair:** That's the last Wednesday that the committee is scheduled to meet. We may meet later, but that is the last scheduled meeting. Is that okay?

**Mr Bob Wood:** I'm satisfied.

**The Chair:** We'll assume that's a motion. Any further debate on it? All those in favour? It's carried. Thank you very much for that. We'll try and sort this out.

Thank you for your patience this morning and we'll see you next week. We're adjourned.

*The committee adjourned at 11:46.*











## CONTENTS

Wednesday 20 November 1996

<b>Subcommittee reports</b> . . . . .	A-531
<b>Intended appointments</b> . . . . .	A-532
Mr George Beatty . . . . .	A-532
Mr John Krauter . . . . .	A-534
Mr Reid Smith . . . . .	A-538

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 27 November 1996

# Journal des débats (Hansard)

Mercredi 27 novembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 27 November 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 27 novembre 1996

*The committee met at 1004 in room 228.*

## INTENDED APPOINTMENTS

## ROBERT DOBSON

Review of intended appointment, selected by third party: Robert Dobson, intended appointee as member, City of Etobicoke Health Unit Board.

**The Chair (Mr Floyd Laughren):** The standing committee will come to order. We have two intended appointments this morning. We have no subcommittee report this morning because we dealt with two of them last week. Before we start, Dr Pond has a word to say.

**Mr David Pond:** With regard to the first witness, Mr Dobson, the secretary has asked me to correct something on the record. On page 3 of my briefing paper I list the witness as a certified management accountant. When I wrote that I was relying on the information in the certificate the subcommittee gets, but apparently the witness is working towards that degree. That's the end of the correction.

**The Chair:** Mr Dobson, we welcome you to the committee. Would you have a seat. It's tradition that you be given an opportunity to say a few words to the committee, if you so choose, and then the committee members can ask questions of you.

**Mr Robert Dobson:** Thank you, Chair. Yes, I will take two or three minutes. Good morning.

I grew up in Dundas, came to Toronto and went to the Ryerson Institute of Technology as a co-op student with Avro aircraft. We were there one day a week at school and four days a week in the shop. I subsequently terminated my 11 years with Avro when the Arrow was cancelled. I ended up as a cost clerk with Massey-Ferguson, at which time I took the first three years of the RIA, which has subsequently evolved to the CMA.

Rather than move to Des Moines, Iowa, when the North American operations were moved there by Massey-Ferguson, I stayed in Toronto and went with the Toronto-Dominion Bank to install an integrated planning system. I stayed with them till I retired four years ago. I was with them 27 years. When I retired as vice-president of planning, my main function was planning expense management, capital expenditure planning and working with the human resource management team.

Since my retirement I've worked with the Business Development Bank as a case counsellor, assisting small business in preparing business plans, most of which were related to financing. I now administer some venture loans that they have with small business. During that time I've worked in eastern Europe in the Czech Republic as a

volunteer. My wife and I spent two five-week periods there assisting the banking industry, which is just evolving from the state banking system, to install planning systems in one of the banks there.

During my retirement, and prior, I've been a director of the Etobicoke Chamber of Commerce, I've been a part of the Etobicoke Federation of Ratepayers — I was a director — and a director of the Markland homes. I ran for election at the last election for trustee. I'm a trustee in ward 4 of the Etobicoke board. So my activities these days are with the Business Development Bank, the Etobicoke Chamber of Commerce and the Etobicoke Board of Education.

I've lived in Etobicoke since 1957. My sons grew up there. We're still living there. One is with Metro Ambulance, working on his paramedic 2, and another is a technologist in Georgetown. I play a little golf in the summer, I ski a little bit in the winter. I have an aerobatics endorsement on my pilot's licence and I spend a little time when I can afford it doing that sort of activity.

I'm very much involved in Etobicoke. I've lived there, I know the city well. I have gone before the city council for various delegations at times, mainly supporting the chamber of commerce. As an opening statement, I hope that gives some kind of background without going unduly long.

**The Chair:** Are there any questions from government members?

**Mr Bob Wood (London South):** We'll reserve our time, Mr Chairman.

**The Chair:** From the official opposition, Mr Bartolucci.

**Mr Rick Bartolucci (Sudbury):** Good morning, Mr Dobson. Just a few questions with regard to the role, because I see a member of a board of health to be a very significant role in the community. How would you define your role in relationship to your responsibility to the community?

**Mr Dobson:** Maybe I can answer it in two parts. I think as a citizen of Etobicoke I have a responsibility to do what I can, particularly in my current situation where I have time and a fair amount of experience. I have talked to the chair of the board, Irene Jones, who's a councillor, and I've talked to Dr Egbert, who is the medical officer, and his secretary, who gave me a considerable amount of information.

Where I see my role is, I believe I have some experience through my work in planning and control, organization structure, and having discussed the current issues with both Irene Jones and with Dr Egbert — for instance, they've downsized that board by 22 nurses and they're going through an organizational change to try to use what



they've got and do as much of what they have been doing. I think I can meet my responsibility as a citizen in participating if it's possible, once I familiarize myself with the organization, to work to meet those key objectives that they outlined to me in the last day or two.

1010

**Mr Bartolucci:** I concur with you that your personal opinions are going to shape the policy as an individual member of a board and so that personal opinion is very important. Let's talk about a few of the areas with regard to nutrition, because you know as a board member you are going to be responsible for setting the nutrition education patterns in Etobicoke. Are you in agreement with me that this type of education funding should be increased, as opposed to being decreased?

**Mr Dobson:** There's no question, from my own experience as a trustee with breakfast programs, particularly in north Etobicoke, there's definitely a need. I won't go into the cultural situation, but there is definitely a need. It's being met to a considerable degree. I realize that at the last meeting of the police liaison committee, on which I represent the chamber, it was brought to our attention that the program had been cut back. That was just a month ago. Until I am involved with the organization and see what the priorities are of the majority, as well as myself, I really can't answer how you would distribute what funding is available.

Now I gather from my discussions with Irene Jones and with the doctor that they've done quite a good job of trying to set priorities in that board, going through all of the issues. There are numerous issues, but nutrition is one of them, there's no question. That's on their list. If you were to ask me the kinds of things they deal with — AIDS program, nutrition —

**Mr Bartolucci:** I know the kinds of things they deal with, so thank you very much for your answer. I am glad to hear from you that you believe there should be more funding for education with regard to nutrition, because it is obviously preventive medicine, as I'm sure you are aware and I think you've said.

**Mr Dobson:** Oh, yes.

**Mr Bartolucci:** Let's go back to another issue, that of family health and counselling etc. Do you believe there should be privileged information between patient and doctor for those under the age of 16?

**Mr Dobson:** I am awfully sorry. I just don't know enough about the legal implications or the rights implications. I really can't answer that. I'd have to research that.

**Mr Bartolucci:** Okay.

**Mr Dobson:** I'm sorry. I just don't know enough about it.

**Mr Bartolucci:** Let's deal with one final area that you'll be concerned with, and that's with regard to public health education. Whom do you think public health educators should be accountable to? Should they be accountable to the province of Ontario or should they be accountable to the Etobicoke city council?

**Mr Dobson:** This is an opinion based on limited information, but I think it would have to be shared. It would also have to be shared with the public, the community. The one good thing I noticed about the committee structure here: There are four councillors on it, there

are three provincial appointees and then there are five I believe from the general public. I know Irene Jones, when I talked to her last night, felt that was a very key issue. But to answer your question, I think it would have to be shared, probably with the medical profession as well as the politicians.

**Mr Bartolucci:** Who should be responsible for the funding of that?

**Mr Dobson:** It's funded 60-40 at the present time. I guess if the argument is that the province is responsible for health, if that argument says it is, one would have to say the province is responsible.

**Mr Bartolucci:** Thank you, Mr Dobson.

**Mr Dobson:** It's a pleasure.

**Mr Bruce Crozier (Essex South):** Good morning, Mr Dobson. I think by reviewing the information we have on you and your answers to questions, there's no doubt we'll be supporting your appointment. I see by your background that you're a person of many accomplishments, not the least of which is being a private pilot. This is more a personal question, because I happen to be one too: Do you have your own aircraft?

**Mr Dobson:** No, I don't, never have.

**Mr Crozier:** Oh, gee, you share my wish as well. I just wanted to emphasize what his accomplishments were and how difficult it is to maintain those high standards of a private pilot. Right?

**Mr Dobson:** That's true. I know every year when I take my aviation medical, which was two years ago, I always have that fear that they'll take my licence or not give it back.

**Mr Crozier:** Yes. Do I have just a little bit of time? There is a question that I'd like to pose to you that's a concern that has arisen in my riding. You either may know or will find out that with the anti-smoking laws that we have in the province, a doughnut shop can be a smoking environment. The doughnuts are all up on the wall, they prepare them there, and yet it can have a smoking environment with no partitions and so forth.

We have in my home town, as a matter of fact, a number of small, mixed-retail and coffee-shop establishments, where you can go in and get a coffee and a fried egg sandwich or a hamburger or something at one end of the store and they also sell lottery tickets, they sell a small number of groceries, they sell milk, they have videos, they have newspapers.

The local health unit has warned these establishments that if they don't partition off the area in which there's smoking, they're going to be charged and subsequently taken to court, in which case I guess we'll really find out if the law is fair or not, because there's a bulletin out from the Ministry of Health that is rather ambiguous. It says that it depends on where they get most of their revenue from, as opposed to whether they're a place where food is prepared or a retail. If their retail is the greater amount, then they can't have smoking there.

Any thoughts on that kind of thing, where we have small businesses that are of mixed type of business and our smoking bylaws are applied, it would appear, unfairly in one case as opposed to another?

**Mr Dobson:** There's no doubt, the work I've done with small business in the last four years, it doesn't take



very much to put them into financial distress. Additional costs or loss of revenue, that's a consideration. But I think we all know now and it's well known that smoking, secondhand smoke in particular, is dangerous to your health.

Of course, in any group that I'm in it would be a majority that would decide, but my opinion personally is that in time we must have all public places free of smoke — cigarette smoke, pipe smoke, cigar smoke. If it requires partitioning a small area off to provide a place for the smokers, it's sort of a concession because employees still have to go in. They're the missing people in this issue, because employees have to work in those smoke areas. I worry about that, because I don't think employees have been given a great deal of consideration.

But I would certainly personally — it would be my opinion — as quickly as possible virtually make a smoke-free environment in every public place. If you have an option to go into a smoke area, well, that's your option. I still can't deal properly, though, with the employees who have to work in that.

This is very personal. I have four brothers, and there's muscular dystrophy in our family, which I've traced back to Ireland. Only one of my brothers contracted it. His three sons have it. They've all been disabled from a young age, but unfortunately the youngest and his mother live together and they both smoke. Now, he's only 35 years of age, but he has cancer of the lungs because he's lived in a smoke environment almost his entire life; it's a mobile home in Nova Scotia. That's personal, and so that might bias my own feelings. But it's telling me that you should really cordon it off and have a smoke-free environment.

1020

**Mr Crozier:** That's interesting, because I suspect you're going to run into this situation in your local health unit. The way I've tried to deal with our local health unit is, however the ministry bulletin is interpreted, if it's interpreted evenly, not only in one or two or three venues but all across the province, then it's easier to accept and certainly easier to abide by. I just bring that up. I suggest you may run into it like I have in the near future.

**Mr Peter Kormos (Welland-Thorold):** I remember the heat the last government took when it amended the legislation controlling the sale of tobacco — and mind you, not unsympathetic; I think one of the biggest lobbies was the coin-op vending machine dealers. The federal government just crapped out on its legislation, or at least deferred it. One has to wonder why.

But to have something to the effect of a 10-year program with joint effort between the feds and the provincial governments with, literally, the goal of destroying the tobacco industry in Canada — I think they're one of the most evil, insidious; they're merchants of death. They're extremely profitable. We wouldn't tolerate a crack cocaine dealer using glitzy ads or sponsoring the ballet or things like that to peddle its product. But the crazy thing is that it's young people now who are smoking more than their parents.

I agree with this gentleman, his attitude towards the tobacco industry. I say that as a person who's been a smoker and a non-smoker and a smoker and a non-smoker. I know how addictive the substance is.

You were at Avro, obviously, at that infamous time with the cancellation of the Arrow. Lately there have been some documentaries. I'm told not a single Arrow or prototype exists any more.

**Mr Dobson:** That's correct.

**Mr Kormos:** How did the orders come down? How much production had there been?

**Mr Dobson:** I was a production planner on the fuel system on the Arrow. There had been five Mark 1s produced with the American General Electric J-75 engine. They were all flying. The third aircraft had done 1,250 miles an hour over the Edgar radar station. The first Mark 2 had been completed, out of total production tooling. The interesting thing about Avro is that they did not build prototypes for the Arrow. The first aircraft came out of production tooling.

When it was cancelled, no one to this day, and I have a number of books on it, knows exactly who gave the order. But what was devastating was not so much that they cancelled it but that within two weeks all those aircraft and fixtures and jigs were destroyed. I was called back because I had 10 years' seniority. Six weeks later there was nothing left. All the aircraft had been cut up, the fixtures, the jigs, the bays were empty. It was gone forever.

I don't want to get into that. I could talk about that —

**Mr Kormos:** I'm sure you could.

**Mr Dobson:** In fact, a week last Friday I signed up on the Internet and when I put down my password, "Avro Arrow," I spent two hours discussing with a young man the whole process with the aircraft and what we lost. We lost a great engineering team, that's what we lost. However, I won't take your time and go on with that. But for 12,000 people it was devastating. We had one hour's notice. I picked up my drafting tools and went home and went door to door. I ended up walking along King Street at Strachan, went into the Massey office and said, "I'm looking for a job." The next thing I knew, I was a cost clerk.

**Mr Kormos:** Talk about bad luck, you move from Avro to Massey-Ferguson. The gods weren't kind to you at the time.

**Mr Dobson:** No, they weren't. However, I've got no complaints.

**Mr Kormos:** All hell broke loose down in Niagara over the recent appointment to the district health council by this government because the appointment was of a person who had not gone through the protocols that are laid out for proposing potential appointees. That is to say that the requirement is — and the government's been avoiding this requirement for the last 14 or 15 months — that the district health council refer people to the government as potential appointees. You indicated you spoke with the chair and with at least one other member.

**Mr Dobson:** Yes.

**Mr Kormos:** What was the process that you've gone through in terms of ending up here today as a potential appointee?

**Mr Dobson:** First of all, I spoke with the chair, and the chair had put forward, I believe, through some system one or two names for provincial appointments. But the way I arrived here is, I had a call from John Hastings,



one of his assistants, I guess about two months ago asking if I would like to work on a committee. I had no idea what that meant. I said, "Well, if it's a committee of government, certainly." Then I had a call and we went over a list of committees; there seemed to be hundreds of them. I suggested that the one I thought I could feel most comfortable in and be most successful in was with the City of Etobicoke Health Unit.

I'm not really sure exactly why Mr Hastings's assistant, or whatever her position was, called me, other than that in Etobicoke as a school board trustee I have been — I wouldn't say outspoken, but I have tried to change the education system, the budgetary process, the costs of education. I think possibly it was just that profile, but that's an assumption on my part, because I've never belonged to a political party, and I've never really associated, and it's a bit late in life for me to begin now, with provincial or even federal politicians.

**Mr Kormos:** Trust me, there's nothing attractive about that prospect at all. I know too many of them, have known too many of them. You're doing fine.

**Mr Dobson:** If I could say something, I mentioned earlier that my wife and I worked in the Czech Republic for two five-week periods. That's another story. I saw a wonderful country after 45 years of Communism. I saw the human spirit — no free enterprise, most buildings were unkept. People my age couldn't make decisions because they'd never been permitted to. I learned so much about democracy, its benefits and the free enterprise system. I have to say that when I came back to Canada, particularly after the second trip because I was working with CESO as a volunteer, I just had a whole new awareness of the free enterprise system and the democratic system which I'd never had before.

**Mr Kormos:** On that one, I've got to beg to differ — give me a minute, Chair — because I've got family in Slovakia, not in the Czech Republic, in Slovakia.

**Mr Dobson:** Slovakia?

**Mr Kormos:** My old great-aunt, she's 85 years old and a typical, you know, she looks —

**Mr Dobson:** Slovak.

**Mr Kormos:** — like an 85-year-old Slovak granny. But Saturday morning she still takes her cut-up meat, because she still thinks she's cheating the system by going out to the market and selling it on the grey market. There's been free enterprise there. These people are incredible. They've stolen from the state, they've cheated it at every opportunity. Free enterprise, I'm convinced, has been alive and well in places like that, notwithstanding governments that were corrupt and bureaucratic.

I'm not faulting you for the manner in which you got here. That's certainly no fault of your own. But I am expressing concern about how district health councils are supposed to respond to this government when this government circumvents the procedure that's laid out for district health councils.

I suspect everybody here is going to support your appointment, there's no reason not to, other than the fact that the government circumvented the process. That, as I say, has gotten district health councils up in arms and feeling betrayed by the government, saying: "What are you telling us? You're telling us we're supposed to be

here as an independent body, independent of political pressure, to give the government advice," but the impression some of them are getting is that if the government doesn't like the advice they're getting, then they'll put their people on without going through the process.

**1030**

Before, I have opposed appointees because they didn't go through that process, but I'm not going to oppose your appointment, because I'm hoping that you, once you're on the health council, will ensure that the health council is accorded its right to refer appointees to the government rather than the government imposing them on the health council. I'm entrusting you with that, sir, and I hope I can count on you.

**Mr Ed Doyle (Wentworth East):** You have your aerobatics endorsement, you say?

**Mr Dobson:** Yes, I do.

**Mr Doyle:** Do you know Gerry Younger, by any chance?

**Mr Dobson:** I know of him, yes.

**Mr Doyle:** Do you fly a Decathlon or a Pitts?

**Mr Dobson:** I got my endorsement on a Citabria and then I went to a Decathlon, and that's the most advanced aerobatic airplane that I flew. The Brampton Flying Club, which I fly from, got rid of it because of low usage, and now we try to do aerobatics in an aerobat, which is a little testy, but the Decathlon was really the fine machine that I like.

**Mr Doyle:** One more question: Have you forgiven John Diefenbaker yet?

**Mr Dobson:** Not really. You know why I haven't? It's because what he destroyed was probably the finest engineering and scientific research team in North America.

**Mr Doyle:** I think they helped put the men on the moon, didn't they?

**Mr Dobson:** Yes, they did. They all went south. I didn't go south; a lot of my friends went south. What he really destroyed was an unbelievable scientific organization. Anyway, that's a long time ago.

**The Chair:** I'm pleased that the committee was able to facilitate this meeting of so many like-minded people this morning. Mr Dobson, thank you for coming before the committee. We appreciate your presence here.

**Mr Dobson:** Thank you very much, Chair. It's been a pleasure.

## MARIE HUBBARD

Review of intended appointment, selected by third party: Marie Hubbard, intended appointee as member, Licence Suspension Appeal Board.

**The Chair:** Ms Hubbard, welcome to the committee. You've witnessed the process at work. We invite you to make any remarks you'd like to make.

**Ms Marie Hubbard:** I'm a retired lady and I decided I would like to try to serve on a provincial committee of some sort. To that end and of my own volition I went to the library and looked at the guidebook for various committees that were available. I have had a long-term interest in transportation and as a nurse I saw the carnage that happens on our major transportation networks with people who disobey the law and drive inappropriately.



To that end, that experience shaped my interests a little. In the guidebook on page 519 I discovered this particular committee. I submitted an application with my résumé and selected a number of other committees that I thought I may attempt to get, but this was my priority. On that basis I've put my qualifications before this committee. I particularly support this process. I'm impressed with what I see here this morning. That's as much as I have to say at this moment, sir.

**The Chair:** Are there any questions from government members at this point?

**Mr Dan Newman (Scarborough Centre):** We'll reserve our time.

**The Chair:** Official opposition?

**Mr Michael Gravelle (Port Arthur):** Good morning, Ms Hubbard. It's interesting to hear you say that you did truly search this out as one of the government boards you'd prefer to sit on. You've done some research on this board too. Have you got any ideas you want to offer the committee in terms of some of the things you'll be looking for, the kind of attitude you'll be bringing. I'm sure you checked out the responsibilities.

**Ms Hubbard:** I hope I bring to this a very balanced attitude. One of the things I am hearing in the public and with my friends particularly is that they're impressed with what MTO is doing with its inspection division. We're pleased with the interventions from the OPP. Notwithstanding that people break the law and can do things that are inappropriate, I hope I can bring a balanced view to that committee. I have not seen the board in action and I wouldn't dare presume to comment on how it works, but I'll be very interested to see how it works. I would put a high priority on what the staff or the registrar of MTO would have to say about the various appeals. I think I could look at that with fairness and understand that the public — I support the legislation. I believe we have to do something to monitor people and I think I could bring fairness. I certainly would intend to do my homework, considerably.

**Mr Gravelle:** One of the rules that has changed is for those drivers who are over 80, that rather than mandatory tests every two years there are different rules in terms of how they can maintain their licences. I must admit that even in my constituency office I have constituents who are calling me. In fact, one last week has had her licence removed and feels this is very unfair. Of course, this is not a political thing. It never is and never can be.

The question this leads to is that there is that dilemma of an individual's right to drive as opposed to the safety of the public in general, and their own safety as well. I'm not sure how one draws a conclusion. The impression I have is that you will probably rely very much upon the officials and the MTO people, who are responding perhaps even more so, than on the individuals themselves.

I know it's a difficult situation, because you don't want to deny people that opportunity. How can you measure it in terms of — I shouldn't say "especially an older person," because I think it doesn't matter what their age is. Will you be simply in essence having your bias leaning very much towards what the ministry officials tell you, regardless of what the individuals themselves are trying to say?

**Ms Hubbard:** I think I would have an open mind to listen to the applicant. For instance, if it were a medical issue I bring considerable expertise to that particular area. Sometimes there's a transient problem a senior might have that could be corrected with medication or whatever, so I feel I could be very balanced in that. I would take each individual case, listen to both sides and I hope apply some common sense. I'm also aware that there are people whose livelihood depends upon their having a licence. People learn from experience and they must move on. I suppose, provided there were some assurances from that individual to the committee, I may reconsider.

I would see this as a tough position but one that I would enjoy, and I would certainly be forthright and forthcoming in all I would do and say on that particular board.

**Mr Gravelle:** Actually, your background will be very useful, because very often it is a medical issue. I had another example of a constituent who told his doctor he was having dizzy spells and his doctor phoned MTO. He denies it. Indeed, this may have been the right thing to do. The person feels this was excessive. He was just indicating this to the doctor and didn't realize it was a possibility in terms of what can happen. I know it's a very delicate matter, and obviously public safety and the safety of the individual are what have to be the basis on which you make a decision. It's a difficult position, and certainly your background could be very useful.

**Mr Crozier:** Good morning, Ms Hubbard. Just to pursue this a bit more: Within a few short days there will be automatic suspension of a driver's licence for 90 days for anyone who blows over 0.08, I believe it is, or whatever minimum is set, and this is appealable. You've raised the point that people have to make a living. I'm not a lawyer, but we live in a country where you're presumed innocent until proven guilty.

1040

There's a case that's given to us in the research material we have here where "the judge argued that when the board made decisions about whether to uphold ministry suspension of a driver's licence, it had to engage in 'a delicate balancing of the private rights of the individual and the public's interest in not being exposed to the unreasonable risk of powerful and potentially dangerous vehicles in the hands of a driver who poses an unreasonable danger.' The judge concluded that in hearings before the board, the onus should be on the registrar of motor vehicles 'to show cause why the licence should be suspended and that this onus should be on a balance of probabilities.'"

Having read all that, I, along with most other reasonable-thinking people, would understand why we should get anyone who has reached a level of intoxication that we consider dangerous to be taken off the road and I see no reason why a person shouldn't be removed immediately. But a 90-day suspension automatically, albeit appealable, because I presume you're going to have to hear these appeals — I hope there won't be a lot of them — and that it may take some time, how do you feel then? Someone who may support a family, may have a job that depends on their driver's licence, how do you think they're going to cope with that situation and how do you



think it's going to solve a problem that we have out there?

**Ms Hubbard:** First of all, people take responsibility for their own lives. If you're going to drink and drive and put other people in jeopardy as well as yourself, one has to consider that. On the other hand, individuals who commit this drunk driving offence have got to know that there is a suspension of their licence and that there will be a fallout. There will be a hardship to a family. I worked as a nurse clinician in a public office and I know what these kinds of things can do to families. They're devastating.

I believe that the legislation is a good piece of legislation. We have to protect the broad public. If that person can change, can do something about drinking and driving, then that probably is information we could sort out at the table at appeal time.

**Mr Crozier:** Do you feel the same about reckless drivers?

**Ms Hubbard:** I passed many this morning.

**Mr Crozier:** You passed them? Wow.

**Ms Hubbard:** They passed me on the wrong side of roads on my way in here. It's quite an experience to drive to downtown Toronto, let me tell you, from my area. I still feel I could be sympathetic. On the other hand, I have to balance that with public safety.

**Mr Crozier:** I'm saying that if this same judge applied this theory to a reckless driver, they have to balance "the private rights of the individual and the public's interest in not being exposed to the unreasonable risk of powerful and potentially dangerous vehicles in the hands of a driver who poses an unreasonable danger."

Some may argue — as I said, I'm not a lawyer — that someone who's going on the Gardiner at 180 kilometres an hour is in fact posing an unreasonable danger. Do you think that person's licence should be automatically suspended for 90 days upon appeal?

**Ms Hubbard:** Yes, I do. What I saw this morning, for instance, was that people pull out of the lines of traffic, go up on curbs, pass you and they can barely get in. I think the OPP have done a good job. I saw them at work this morning. They're making all kinds of interventions and earning their money, and I love to see that. I think some of these drivers need to be dealt with very seriously because they put others in jeopardy.

**The Chair:** This is the last question, Mr Crozier.

**Mr Crozier:** Do you drive the 400 series highways and/or the QEW in the area?

**Ms Hubbard:** Yes.

**Mr Crozier:** Have you found, like I, that the speed limit since photo-radar was removed has increased from 110 to about 130 kilometres an hour?

**Ms Hubbard:** I have. I find that it's almost like anarchy out there. People just leave you in the dust, you know. It's very interesting.

**Mr Crozier:** Well, don't pass any more of those drivers.

**Ms Hubbard:** No, I won't.

**Mr Kormos:** I appreciate your mentioning that you would feel some reliance on Ministry of Transportation staff. The problem is that, in short order, there's not going to be any Ministry of Transportation staff. The

government announced yesterday the layoff of 705 of them in the few weeks before Christmas. My God. The ministries are being gutted; the office in St Catharines. What they're doing to Niagara region by gutting that office is just phenomenal economically, but again that's not at issue here.

I appreciate it, because that's been my experience too. I just drive an old pickup truck so I sort of put it on cruise control. I do around 105 and put it on cruise. Although I had concerns about the way that photo-radar could be used to punish the owner of a vehicle for insurance purposes, notwithstanding that they promised they wouldn't, when photo-radar was there, driving the 401 or what have you became a little more civilized; it really did.

Again, it's only anecdotal on my part, but the same experience as Mr Crozier and as you had: Within hours of it being repealed, if you will, the speed limit went up again to, what, 130 or 140 kilometres an hour, where if you're doing 105 in your old pickup truck on cruise you feel that you're somehow — as a matter of fact, there's the fellow who got convicted because he tried to make a point of driving the speed limit up near Ottawa. He actually got convicted of a Criminal Code offence of obstruction, public mischief. I'm surprised. Who would have thought that in a case like that the Ministry of the Attorney General wouldn't have asked that that sort of charge be stayed?

You went to the library on your own.

**Ms Hubbard:** Yes, I did.

**Mr Kormos:** You're not working now.

**Ms Hubbard:** No, I'm retired.

**Mr Kormos:** How long ago did you make your application?

**Ms Hubbard:** I made my application a long time ago; in the fall of 1995, I would say, somewhere in there.

**Mr Kormos:** Did anybody respond to your application?

**Ms Hubbard:** Yes.

**Mr Kormos:** What was the nature of that response?

**Ms Hubbard:** My response was that I had an interest in this particular committee and that I would like to pursue it and — you know.

**Mr Kormos:** But you made an application. You wrote a letter at the very least and mailed it to somewhere in the government and somebody responded to that.

**Ms Hubbard:** Yes.

**Mr Kormos:** Okay. As I said, what was that response on the government's part?

**Ms Hubbard:** The response was that this would go in through the process and that I had to follow the process.

**Mr Kormos:** Did anything else happen between then, which was some time ago, and most recently, obviously, when you were advised that you were being recommended to the committee?

**Ms Hubbard:** Yes. I had some notification that I was being considered, and I was delighted with that and wanted to proceed.

**Mr Kormos:** But did anybody interview you?

**Ms Hubbard:** I had an interview over the telephone. I didn't drive in for one.



**Mr Kormos:** No, no, fair enough. I'm just curious because again, as you heard me when I was speaking with Mr Dobson earlier, this government has been all over the place on the types of process it uses. I'm optimistic because I'm trying to think, trying to believe, hoping that what we in the opposition are doing on this committee is sort of compelling the government to do things in a little more orderly manner.

**Ms Hubbard:** I have to assure you that I'm quite impressed with what's happened so far. I feel that the process is an excellent process and I'm happy to come before the committee and lay out who I am, what I am, and have you evaluate my qualifications.

1050

**Mr Kormos:** We're happy to have you here. Again, I think I can anticipate that everybody on the committee is going to support your nomination, your appointment to this board. But the telephone interview — because again you should have seen the lack of process until we started raising these issues in the committee. I mean, people were just sort of picked — you know, like picking applications out of a hat.

*Interjection.*

**Mr Kormos:** Well, it's true — to the point where the government actually withdrew some of their appointees. Do you remember that, Chair? People would come here and it would be exposed —

*Interjection.*

**Mr Kormos:** Hold on.

**The Chair:** Order, please. Let Mr Kormos continue, please.

**Mr Kormos:** I mean, we went after these people like rabid dogs, no two ways about it. But the government actually withdrew some of them from the process and a couple withdrew themselves. Are you satisfied that the type of interview process that you went through — again, your appointment's going to be approved, but in terms of other appointments to other boards, agencies and commissions, are you pleased with the type of interview process?

**Ms Hubbard:** Yes. I can say unequivocally to this committee that I am very impressed with the process. I think it should be continued. I would like to think that the decisions here are based on my qualifications and I feel that I've had a good hearing. Mr Chairman, I'd like to point that out to you specifically because I think the process is the way it should be.

**Mr Peter L. Preston (Brant-Haldimand):** He doesn't listen to anybody but himself. That's the third time you've had to tell him it was a good deal.

**Mr Kormos:** Chair, did I forfeit some of my time to Mr Preston?

**The Chair:** No.

**Mr Kormos:** Oh, okay. I didn't think I had.

**The Chair:** I don't think Mr Kormos is being terribly provocative, so I think you should leave him alone, Mr Preston.

**Mr Preston:** He doesn't have to be.

**Mr Kormos:** Count your blessings, Mr Preston.

*Interjection.*

**Mr Kormos:** Mr Preston, shhhh.

Thank you very much for coming down today. My apologies for any rudeness you might have encountered. Have a safe trip back home and good luck on the board.

**The Chair:** Any government members have any questions? Mr Preston?

**Mr Preston:** No.

**The Chair:** I didn't think so.

**Mr Preston:** I think the process the lady went through was excellent, as she has told us three or four times.

**The Chair:** Mr Doyle.

**Mr Bert Johnson (Perth):** It is good to know that the chaos over the last five years has ended and now we have some —

**The Chair:** Sorry. You're not Mr Doyle.

**Mr Doyle:** I wasn't sure there for a minute.

I don't have a question so much as I have a comment, and that is you must have been on the same highway driving in as I was this morning, because I saw a woman combing her hair, reading a catalogue and brushing her teeth, all the same woman, and she was directly in front of me. I wasn't sure whether I should pass her or not. I didn't know whether I wanted her in front of me or behind me. That's my only comment.

**The Chair:** Any other comments, questions? Thank you, Ms Hubbard, for coming before the committee.

**Ms Hubbard:** Thank you very much.

**The Chair:** Are we ready for the concurrences part of the meeting?

**Mr Newman:** I move concurrence in the intended appointment of Mr Robert Dobson.

**The Chair:** Do you wish to speak to it or do you wish to wait?

**Mr Newman:** That's fine.

**The Chair:** Mr Kormos?

**Mr Kormos:** I do want to speak to it. Once again, as I indicated while we were speaking with Mr Dobson, I am going to support his appointment because it seems he's again extremely qualified in terms of his skills, in his professional and work background. No two ways about it.

But I am, I tell you, concerned about what the government has done once again in terms of circumventing, which is probably a mild and generous interpretation of what they've done, the role and prerogative of the health council itself. It's been stated over and over and over again —

**Mr Newman:** It's a health unit.

**Mr Kormos:** Health unit. It's been stated over and over and over again the type of process that's desirable, and that is that bodies like this are designed to generate their own membership. The government, I believe, here has once again risked politicizing, or the appearance of politicizing, an appointment, and I think that's unfortunate. It's unfortunate for Mr Dobson, but to give him great credit, clearly he spoke with members of the board of the unit and I give him credit for that. But I'm concerned about the manner in which this government has gone about this process. But I have every intention of supporting Mr Dobson's appointment.

**The Chair:** Any other comments? You've heard the motion. Are you ready for the question? All those in favour of the appointment? It's carried unanimously. Thank you for that.

**Mr Newman:** I move concurrence in the intended appointment of Ms Marie Hubbard.



**The Chair:** Any debate on Ms Hubbard's appointment? If not, are you ready for the question? All those in favour? It's carried unanimously. Thank you for that.

There are two items before we adjourn. You may recall that last week Mr John Krauter was here as a prospective appointee to the Halton Housing Authority and he made a comment which raised my antenna about the number of appointments in early 1995 by the former government. I wondered about it and I checked the book and it didn't seem to be in there. Mr Pond did some work, and indeed he referred to the annual report, and there is no annual report of the Halton Housing Authority. What he was referring to was the Halton Non-Profit Housing Corp. I hope that by now he's sorted out what he's being

appointed to, because he was referring to something totally different from what he was being appointed to, the Halton Housing Authority. I wanted to clear that up for the committee.

Second, we have a note from the Office of the Premier, the public appointments secretariat, indicating that the potential appointment of Laurie Scott to the Haliburton, Kawartha and Pine Ridge District Health Council has been withdrawn. You may remember that she was the intended appointee who didn't make it last week. So they've withdrawn that intended appointment.

I think we're up to speed on everything, and I thank you very much. We're adjourned.

*The committee adjourned at 1057.*





## CONTENTS

Wednesday 27 November 1996

<b>Intended appointments</b> .....	A-541
Mr Robert Dobson	
Ms Marie Hubbard	

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

- \*Mr Rick Bartolucci (Sudbury L)
- \*Mr Bruce Crozier (Essex South / -Sud L)
- \*Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- \*Mr Bert Johnson (Perth PC)
- \*Mr Peter Kormos (Welland-Thorold ND)
- \*Mr Floyd Laughren (Nickel Belt ND)
- Mr Gary L. Leadston (Kitchener-Wilmot PC)
- \*Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Mr Frank Sheehan (Lincoln PC) for Mr Leadston

**Clerk / Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service



A-35

A-35

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 4 December 1996

# Journal des débats (Hansard)

Mercredi 4 décembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
Greffière : Donna Bryce



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 4 December 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 4 décembre 1996

*The committee met at 1004 in room 228.*

## SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The first item of business is the report of the subcommittee from last Thursday, November 28, which involves two certificates: Mr Raymond Johnson, selected by the official opposition party be appointed to the Hamilton-Wentworth District Health Council; and recommended by the third party, Mr Dale Lapham to the council of the College of Medical Laboratory Technologists of Ontario, and to the Licence Suspension Appeal Board, Christopher Hacio. All of those would appear before the committee a week from today. That's the subcommittee report in abbreviated form.

**Mr Bob Wood (London South):** I move its adoption.

**The Chair:** You've heard the motion. Any debate? All in favour? Carried.

**Mr Bob Wood:** Can I add one tiny thing to the order of business? Is Mr Silipo going to be joining us, do we know? Is not? Okay. I would've explained this to Mr Kormos had I realized Mr Silipo was not going to join us.

What we are going to request is that the deadline for submission of names designated by the crown foundations be Tuesday of next week rather than Thursday, for this coming week only. We anticipate there'll be maybe 50 names coming out of the cabinet today, and these names are recommended by the agencies themselves, though of course approved by the government. We would like to have the non-designated ones signed by the Lieutenant Governor on Wednesday, which is the reason for the request that the deadline be Tuesday for this batch only.

We'd like to get the people in place because there are a number of substantial donations that they think are available before the end of this tax year, and we'd like to get those folks on the foundations so the foundations can receive them prior to the end of the year. In the event the opposition parties should agree to this, the public appointments secretariat undertakes to have the names to the three party representatives by noon tomorrow.

I spoke to Mr Crozier. I didn't realize Mr Kormos was going to be the third party representative. I would have spoken to him, which I didn't, so he now is aware of the situation.

**The Chair:** It sounds like a reasonable request to me. Everybody okay on that?

**Mr Peter Kormos (Welland-Thorold):** I think that was the wink and the nod, Mr Wood. I'm in full agreement with you.

**The Chair:** Okay.

**Mr Bob Wood:** I guess it's not necessary to have a motion. But let me thank the representatives of the two opposition parties for their indulgence on that, and we hope substantial charitable contributions will flow from this indulgence.

**The Chair:** Good. We look forward to getting those names.

## INTENDED APPOINTMENTS

## STEPHEN ADAMS

Review of intended appointment, selected by official opposition party: Stephen Adams, intended appointee as member, Ontario Securities Commission.

**The Chair:** Mr Adams, if you would have a seat at the end of the table, we appreciate your attendance here this morning. It's traditional that you be allowed to make any opening remarks you'd care to make, and then the members of the committee can ask you any questions.

**Mr Stephen Adams:** Thank you for your invitation to appear before you today. I'm a nominee for appointment to membership on the Ontario Securities Commission. I understand you've got my biographical information before you, so I won't repeat it. I can summarize it by saying that I've practised law in London, Ontario, for 28 years. I've carried on general corporate and commercial practice and have considerable experience with the Securities Act and the Business Corporations Act. Our firm is more than 40 lawyers and is one of the larger firms in the province outside downtown Toronto. For many years, our firm has actively encouraged each of its lawyers to participate in the community.

I've been fortunate to do a good deal of community service outside of my law practice, including membership on and the chairmanship of several boards of directors of various hospitals and other health care facilities, service on what is now called the London Police Services Board and various other items as set out in the résumé. My current activities include serving as president of the Children's Aid Society of London-Middlesex and holding the office of chancellor of the diocese of Huron of the Anglican Church of Canada.

In so far as my academic qualifications are concerned, I was a gold medalist in law. I was a part-time adjunct professor of law at the faculty of law, University of Western Ontario, where I taught corporate law for more than 12 years. I'm the author of a widely used textbook on corporate law in Ontario.

I look forward to the challenge of serving on the Ontario Securities Commission. It has several challenges



before it, some which were detailed in articles that appeared in the *Toronto Star* two weeks ago. I'm sure you're familiar with them.

One of the major challenges to the OSC is the possible formation of a national securities commission which would replace the OSC and other provincial securities commissions. However, this is a political matter to be resolved by the politicians in Ottawa, Toronto and other provinces and not by the OSC itself.

Another of the major immediate challenges facing the OSC is its funding problems. These have been dealt with in the papers and are well known. I understand from the papers that one of the possible solutions, in the event that the OSC continues and is not replaced by a national securities commission, is the transformation of it into a crown corporation. Once again, this is a matter for the Legislature and the politicians, not for the OSC itself.

Other challenges facing the OSC include its ongoing policy reformulation, the rule-making project and the implementation of an electronic filing system for prospectuses.

1010

It's my personal belief that the emphasis in securities legislation has got to change. When the Securities Act was written in its present form in 1968, most of the money raised in Ontario for corporations and other issuers was by way of prospectus. Things have changed, and in the last 30 years the emphasis on the issuance of prospectuses has declined to the point where I'm told that in 1995, 94% of the money raised in Ontario was raised without a prospectus by legal means through the secondary market primarily.

There has been increasing emphasis on continuous disclosure by corporations in documents other than prospectuses, but the legislation, in my view, has not kept up with it because there are no civil penalties in Ontario right now for false statements in corporate documents such as information circulars or annual reports. In the US, there are penalties for continuous disclosure violations, but there are no civil penalties in Ontario at the present time. Someone can make a false and misleading statement in an annual report or in an information circular and not be subject to civil penalties. In an extreme case, of course, the OSC could step in and suspend trading, but that would punish a lot of shareholders unnecessarily.

On one hand, we've got very severe penalties for false and misleading statements in prospectuses, and nothing at all for a false and misleading statement in other corporate documents. This is probably a matter for the Legislature, but I think it's something that hopefully will be looked into.

The mission of the OSC is to protect investors from unfair, improper or fraudulent practices and to foster fair and efficient capital markets and public confidence in their integrity. There are approximately 2,300 active public corporations in Ontario, and these are the ones that deal most with the OSC.

I believe I can bring to the commission many years of broad experience as a corporate and securities lawyer, experience as an officer and director of several public and private corporations in Canada and the United States, a viewpoint that's somewhat different from that of a Bay

Street lawyer, a record of community service, a high energy level and a willingness to serve the public in this way.

**The Chair:** Thank you, Mr Adams. Any questions from the members on the government side?

**Mr Bob Wood:** We'll reserve our time, Mr Chair.

**The Chair:** Okay. Members of the official opposition, any questions?

**Mr Bruce Crozier (Essex South):** Good morning, sir. Your opening statement touched on a few of the areas that I'm sure all of us are interested in, in view of, as you said, the comments that have been made in the press and the suggestion of an apparent lack of ability of the commission to function in the way it really should.

Do you see a timetable on when this national issue should be solved, either that agreement should be reached or we should forget it and start to make improvements in our own way in Ontario?

**Mr Adams:** That's a tough question to answer, sir. I have no inside information. I only know what goes on in the newspapers, but it seems to me, as a lawyer practising in this area, that uncertainty is not good for anyone, not the employees nor the public, and I hope it will be dealt with in the next year. But I think it's a political matter, and getting politicians in 12 or 13 jurisdictions to agree is difficult.

**Mr Crozier:** So you may, once you're on the commission — and I have no doubt that you will be, with the background you have. So you would have to wait until you're on there, see how things are going, before you'd have an opinion like that? Once you're on the commission, would that be the kind of advice you would give to the provincial government, that there is a time at which we should make a decision?

**Mr Adams:** Yes. I think the government realizes that. The newspaper articles have certainly made that point, and there are a lot of people commenting on that in the paper. Not only the articles in the *Star*; other papers have said that. I think it's like anything else, there is a time for something, and they've got to get on with it. But the OSC is somewhat of a bystander in this in the sense that it's not actively involved in negotiations. Only after the political will is expressed and decided upon can the technocrats and the bureaucrats get involved in the mechanics of it.

**Mr Crozier:** Another thing the previous head of the commission has commented on from time to time is the underfunding of the commission. We have had some figures given to us; for example, projected that in 1996-97 the commission will have revenues in excess of expenditures of about \$25 million, yet the previous chairman has said the commission is underfunded and perhaps should simply be made a self-funded organization rather than a profit centre for government. Do you have any comment on that?

**Mr Adams:** Yes, I do. I believe that would assist the public of Ontario in the sense that the commission — this is no secret; it's in the newspapers — has had problems with senior staff departing for much higher-paid jobs. They also have another problem right now in civil service terms because of the downsizing that's going on. It's quite apart from the money involved. It's a difficult thing



to hire anybody, no matter what his or her skills and experience are, into the OSC right now because of the policies in downsizing and having bumping rights and all these things the civil service quite properly has. If it's made into a crown agency, it's hoped that it would not only be freed up on the financial side of it, but that it would be free of some of the necessary civil service restrictions.

**Mr Michael Gravelle (Port Arthur):** You made some reference in your opening statement to the fact that there are no civil penalties for false disclosures on, obviously, documents. How common is that? I'm a bit of a neophyte about this sort of stuff.

**Mr Adams:** I can't answer that, sir. I don't know how common it is. I was trying to contrast two extremes: Here we have a prospectus where the law comes down on both feet for anything that's misleading or incorrect, and there are very substantial civil penalties. That's one extreme. The other extreme: In the area that's used most often by corporations there are no penalties at all.

How often it happens I don't know, but I suspect there are some errors, some of them I'm sure inadvertent, but there are errors. For example, the legislation was amended a couple of years ago to require, in an annual information circular, a statement as to how much the public company pays the president. If they misstate that by \$100,000, there's no civil penalty for that. That's just an example. I'm not suggesting it's being done, but it could be done, whereas if they make the same misstatement in a prospectus, which would be misleading, they could be subject to very severe penalties.

**Mr Rick Bartolucci (Sudbury):** Thank you, Mr Adams, for your appearance here this morning. Reading your CV, it is certainly complete. You've had long-standing service in the community, you're obviously very qualified professionally and you'll do an excellent job on the commission, I'm sure of that.

I'm a bit of a rookie around here, so maybe I'm still working through the process. How did you come to apply for this position?

**Mr Adams:** My practice has been to serve on various things with various organizations for a limited period of time, six or seven years, and go on to something else. Following the last election, I realized that my term as president of the Children's Aid Society was coming to an end this coming March and I was looking around for something to do in a community service to replace that. I contacted my MPP, Mr Wood, and his office directed me to the green government booklet on agencies, boards and commissions; the last issue was 1995. I read through it, wrote a letter listing two or three agencies that might possibly interest me and offered my services to them and enclosed my CV, which is attached.

**Mr Bartolucci:** It's completely legitimate and very much in order. It's good that we find out the different ways people apply for these types of jobs or positions. Once you realized that you were going to be picked with an order in council, were you sent any advance material?

**Mr Adams:** Yes, sir.

**Mr Bartolucci:** What type of advanced material were you sent?

**Mr Adams:** They sent me a copy of Hansard from a committee hearing on July 17; they sent me a map, how to find the room here; they sent me a memorandum about procedure, how it's done; some press clippings; a copy of the standing committee on government agencies' rules. They invited me to a meeting and sent me a videotape of a previous hearing.

1020

**Mr Bartolucci:** What did the videotape consist of?

**Mr Adams:** It consisted of — my recollection is May 1995 — a two-hour videotape of a committee hearing where the committee interviewed four different applicants.

**Mr Bartolucci:** Do you know if that's standard procedure?

**Mr Adams:** I have no idea. I suspect it is, though, because they wanted the tape returned.

**Mr Bartolucci:** They wanted the tape returned? This is this government, eh?

**Mr Adams:** They didn't send any popcorn or anything like that. I had to supply my own.

**Mr Bartolucci:** I know somebody who was doing that. You referred to "they." Who is "they"?

**Mr Adams:** The public appointments secretariat. The lady, Mrs Judy Burns, is here in blue behind me.

**Mr Bartolucci:** Do you think all that is necessary before your appearance?

**Mr Adams:** Yes, sir.

**Mr Bartolucci:** Why?

**Mr Adams:** I practised law for 28 years. I have testified precisely once previously to this on anything. I've conducted a lot of trials, tax work and that sort of thing, and I've always known it's a daunting experience to testify in anything, and this brought me out here. I have never done this sort of thing before and I think it is reassuring to people to know what goes on and that the lions aren't kept in the room; they're kept down in the basement, I'm told.

**Mr Bartolucci:** Being a lawyer, you'd probably consider this instructing the witness.

**Mr Adams:** No, sir, I wouldn't. I would call it educating the witness. I certainly do it for trials I participate in as a lawyer. I think any capable, competent lawyer would do that to reassure the witness about how the procedure works, where people sit. I think that showing a videotape of something that happened two years ago is not really instructing a witness.

**Mr Bartolucci:** Did your videotape have anything to do with the Ontario Securities Commission?

**Mr Adams:** Nothing at all; just four witnesses.

**Mr Kormos:** Gosh, Mr Adams, when I practised law we called it "woodshedding" the witness, with no shame whatsoever and no regrets. I take some joy in your mentioning that you're not a Bay Street lawyer, because I know a Bay Street lawyer who also prizes himself as something of an author. I didn't know him when he was a Bay Street lawyer; I knew him before he became a Bay Street lawyer. I attach some credit to the fact that you're not.

Mr Waitzer, who was the previous chair, in a newspaper article spoke about his disappointment at the lack of progress in developing a national securities commission,



although he indicated in an interview that he'd become somewhat more optimistic recently. What would give you optimism in that regard, in view of his experience with the phenomenon?

**Mr Adams:** Let me begin by saying I've never met Mr Waitzer. I only know what's in the newspaper articles and I have no inside knowledge of what's going on, but the fact that they're still talking is hopeful, the fact that they're proceeding on it at all, because a month ago I thought it was dead entirely. I thought the people lost interest in it, but I'm told that their interest has revived and they're still going on. I don't think it's welcomed formally by the country. It's my understanding that some of the western provinces are not in favour of this matter, but it's only hearsay and what I read in the newspapers. I have no inside information.

**Mr Kormos:** Okay. I suppose that both the Alberta exchange and the Vancouver exchange have some, at least for somebody like myself — the only stock I own is 50 shares of Sherritt mines, and I only bought those because of the Helms-Burton bill, and as it ends up I made some money as a result of it, so I'm more than pleased. Is it because the Vancouver exchange and the nature of its stock wouldn't want perhaps the more rigid controls that exist in other jurisdictions or that would be imposed nationally?

**Mr Adams:** I don't know. Maybe that would be the reason. But I understand that some of the brokers out there are not happy about it and some of the legal people are unhappy about it. No one who is designing a security system in Canada today would design the one we've got. We've got 12, 13 jurisdictions dealing with the matter.

Having said that, we've had 75 years of doing it this way, and it's difficult to get people to change. There is concern about having a national bureaucracy, where you're going to have it and how you go about handling regional matters. I don't know what the reason for it is, and we are being compared to the alleged efficiency of the national one in the United States. I think, as a practical matter, if we don't get a national securities commission — I have no idea if we will or not. They're implementing a national electronic filing system on January 1 called SEDARS, an electronic document retrieval system, which will take out a lot of practical objections about having multiple commissions. It won't take them all out, but instead of sending stuff by courier to 11 places, you will be sending it by electronic means once, and it should do it automatically, instantaneously. I think that will remove some practical difficulties.

Why the ones in the west are opposed to it, I don't know. Quebec, I understand, is opposed to it as well. The Montreal stock exchange has announced its opposition, but that may be for reasons entirely beyond the securities industry.

**Mr Kormos:** Thank you, sir. Have you returned the videotape yet?

**Mr Adams:** Yes, sir.

**The Chair:** Any questions from the government side?

**Mr Bob Wood:** We will waive our time.

**The Chair:** Thank you for that. As someone who had a fair amount to do with the OSC when I used to have another job — I used to be another person, actually — I

know you're in for some very interesting times. I want to tell the committee of the great discipline that has made me stay out of the debate this morning. Thank you, Mr Adams, for coming before the committee. We appreciate it.

#### LINDA FRUM

Review of intended appointment, selected by opposition party and third party: Linda Frum, intended appointee as member, Ontario Arts Council.

**The Chair:** Ms Frum, welcome to the committee this morning. I don't think you were here when Mr Adams began, but you have an opportunity to make any opening remarks you'd like to make, then we'll proceed with some questions from committee members.

**Ms Linda Frum:** I would like to address the question of what I see as my qualifications to serve on the Ontario Arts Council. Basically, I think there are two. The first is that as a writer I see myself as a member of the arts community. I am the author of two books and I have edited a third. I have contributed to many major periodicals and publications of this country. I see myself very much as belonging to the arts community in the capacity of a writer.

On a second front I see myself as someone who has been very active as a volunteer, participating in the philanthropic side of arts support. In the past I have organized fund-raisers for the Tarragon Theatre, over three or four years I've organized fairly major events for the Ryerson development trust and I am currently chair of a gala event that will take place this summer for an organization called Ashkenaz, which is going to be a celebration of new Yiddish culture. In this respect also I see myself as very involved in the arts. Those are my qualifications.

**The Chair:** Thank you for that. Any questions at the moment from the government members?

**Mr Bob Wood:** We'll reserve our time.

**The Chair:** Okay, official opposition.

**Mr Bartolucci:** Welcome, Ms Frum. I think you're going on a very important council, one I certainly believe in. In my former role as critic for arts and culture I met with publishers and authors, and they weren't satisfied with the direction of this government. They also weren't satisfied with the lack of communication they received from this government. How do you propose to improve that? I won't ask whether or not you're satisfied with it, but how do you propose to improve that communication?

**Ms Frum:** I think there is certainly an awareness on the part of most people in the publishing community, for example, that there will be less government support in the future, as I think there is this awareness in all sectors of society, so I think it is a process of making people accept that and helping them see alternatives to those kinds of resources.

1030

**Mr Bartolucci:** Do you feel there are enough financial resources being placed in the arts by this government?

**Ms Frum:** I think it has to be seen in context, and at a time when there are cutbacks to every sector of society, including things like health and education, the arts have to take their share of cuts as well.



**Mr Bartolucci:** Do you think there is a balance, though, in their share? The communities and the groups I met with suggested there was a disproportionate amount being taken away from the arts. You're going to be obviously an advocate for the arts; that's your interest obviously.

**Mr Frum:** Right.

**Mr Bartolucci:** That's why you want to sit on this, I'm sure. Do you see that there's been a disproportionate amount of money taken from the arts?

**Ms Frum:** I really can't comment on that. You'd have to look at the entire picture and assess it. But as I say, I think it's important for people in the arts community to remember that there are many important spheres in our society. Health is one of them; education is one of them; police services is another. I think those are areas where the government has made a commitment, but I think it is actually quite pleasing to know that this government has continued to make a commitment to the arts. They have, for example, maintained the Ontario Arts Council, to begin with. I think that is a very positive signal from this government that they are concerned about the arts and that they will continue to support them.

**Mr Bartolucci:** And you as the advocate will ensure that it always remains high in their priorities, I'm sure.

**Ms Frum:** Right.

**Mr Bartolucci:** Okay, great. I just want to leave the arts council for a moment. Did you watch the whole two hours of the video?

**Ms Frum:** Apparently I got the cut version. I had a half-hour.

**Mr Bartolucci:** I guess the first guy got the uncut version. How long was yours?

**Ms Frum:** Half an hour.

**Mr Bartolucci:** What meeting did it highlight?

**Ms Frum:** It was with a fellow being appointed to an educational body. I'm not exactly sure which one.

**Mr Bartolucci:** I see. Who was highlighted on the video, if you don't mind my asking?

**Ms Frum:** I believe you were there.

**Mr Bartolucci:** Yes? Was Bruce Crozier there?

**Ms Frum:** Yes, indeed.

**Mr Bartolucci:** Was this gentleman there?

**Ms Frum:** No, you weren't there that day, for some reason.

**Mr Bartolucci:** That's amazing. Did you have to return the video as well?

**Ms Frum:** I'm embarrassed to say that not only do I have to, but I have failed to do so, so a classic artist's manoeuvre.

**Mr Peter L. Preston (Brant-Haldimand):** They had Mel Gibson play your part, Rick.

**Mr Bartolucci:** That's it. How many members of the government side were highlighted in the video?

**Ms Frum:** It was simply a session like this, so everybody who spoke was on there.

**Mr Bartolucci:** You see, we haven't been privy to this video and we didn't know about this video until today. Now we're finding out there may be more than one video out there.

**Ms Frum:** I think it's just a version of home movies.

**Mr Bartolucci:** Yes, that's right. One would suggest comedy, others would suggest horror, depending on what side of the spectrum you're on. Probably very few would consider it to be historical documentation.

Good luck in your appointment.

**Ms Frum:** Thank you.

**Mr Crozier:** Ms Frum, good morning. I have to say at the outset that I was a great admirer of your mother —

**Ms Frum:** Thank you.

**Mr Crozier:** — and her public life. As a matter of fact, a little anecdote: I was mayor at the time of your mother's death and I had a radio show every Saturday morning. I felt compelled that week to pay tribute to your mother because I think she had a great influence on a number of Canadians. It's a privilege to meet a member of her family.

**Ms Frum:** That's very nice. Thank you.

**Mr Crozier:** Now, like we do in question period, comes the tough part.

**Ms Frum:** Okay.

**Mr Crozier:** But it won't be very tough. The arts council is to work at arm's length from the government. As a matter of fact, in some of the material you were given it may have even outlined the role of the council where it is an arm's-length agency, independent of government. But another term of reference is that the council is run by a government-appointed board. Do you feel, joining this council, that you can on one hand be independent of government, but on the other hand, you've been appointed by government?

**Ms Frum:** That's of course an enormous philosophical question that wouldn't only apply to this appointment but to the entire process of how —

**Mr Crozier:** How do you feel?

**Ms Frum:** Yes, I do feel that way. You mentioned my mother a moment ago. One could argue that everybody at the CBC works for the government, but they manage, I think very adequately, to maintain a sense of separation from the government. I think that of course it is totally possible to have an arm's-length relationship. That is not an unreasonable notion.

**Mr Crozier:** Okay. When you were answering Mr Bartolucci's questions, you commented on the council having to take its reduction along with everyone else, and yet unlike some of the areas of government where reductions are being made, ie hospitals or education, where there's a payout, the arts community has suggested that there are great economic values to the arts. Could you comment on that vis-à-vis another part of government where there may not be a big economic value?

**Ms Frum:** Yes. I think that is a very real distinction and in that respect the arts have an advantage over those other sectors, and that's actually a very hopeful thing for the arts. It's also, I think, much easier for the arts to raise money privately than it is, certainly for hospitals although they do it, and for education. I think one of the things that has been happening in the arts community and will have to continue is perhaps a greater reliance on the private sector. But I think that perhaps of these areas that we're discussing, it will be the easiest for the arts community to do that.



**Mr Crozier:** I don't know whether you were in the room earlier, but there will be some appointments coming up in the next week and we were accommodating these appointments because of the foundations that are going to be established for that very reason, that you spoke of. I assume, but I'd like to hear you confirm it, that you will be a spokesperson for raising funds, not just sitting on the council and disbursing them.

**Ms Frum:** Oh, of course. As I said at the outset, that's something I already do. I think one of the things I can contribute to this organization is my experience in raising money privately for arts organizations.

**Mr Crozier:** I wish you well, and it's been a pleasure to speak to you this morning.

**Mr Kormos:** Both Mr Bartolucci and Mr Crozier wanted you to indicate that you saw yourself as, among other things, an advocate for the arts and culture community, and you've agreed with that. I hear what you've said, that clearly this government's direction is in terms of reducing its support for arts and culture. I understand that. We know that's happening. At the same time, though, you're entitled to a personal view, and what I very specifically want to ask you is, do you think that government has any business investing taxpayer money in arts and culture?

**Ms Frum:** Yes, I do.

**Mr Kormos:** How do you respond, because you talk about referring or utilizing more and more corporate sources or private sector — which I'm just assuming means corporate. Most of us as consumers of arts and culture can't afford to contribute the full cost of full funding. Now we've got serious restrictions on, let's say, the tobacco industry with the arts, and you've heard the arguments in response to that. Would you advocate for the government to increase its contribution to funding of arts and culture?

**Ms Frum:** It would entirely depend on the circumstances. If they find themselves with an overwhelming surplus of funds, then sure, it would certainly be a worthy area to invest in, but I don't see that situation happening in the near future.

1040

**Mr Kormos:** I don't know a whole lot about film in Ontario, but I know John Greyson got busted at the opening of his movie *Lilies* because he dared to encourage people to participate in the Days of Action.

**Ms Frum:** I think it's because he was trespassing. I think that was the reason.

**Mr Kormos:** Well, they busted him, yes.

**Ms Frum:** Not because of what he was saying but because of what he was doing.

**Mr Kormos:** Yes. Handing out leaflets encouraging people —

**Ms Frum:** On private property, yes.

**Mr Kormos:** At his own film. I don't know; it's weird. They apologized to him, in any event, because it wasn't a good bust anyway. He would have walked on it. But he indicated that his motive for doing that was because *Lilies* was the film nominated for several Gemini and receiving — I don't know how many, but several, as did you — and his was one of the last films that enjoyed funding under the Ontario Film Development

Corp. My understanding is that from purely an economic point of view, the film industry has been very significant to the Ontario economy, and especially Toronto's economy, yet there's a defunding of support for that. From an economic point of view, does that make common sense?

**Ms Frum:** But there also has been an explosion of production in this province and across Canada, and I think an argument can be made that these funding bodies that were set up in the last decade or so have served a viable purpose but that with the development of very large production companies as we've seen happen in Canada, which is a very exciting development, perhaps the private sector can now take over that role of funding production or funding development in that the industry has really gone from its infancy to a kind of adolescence. That is something the government helped with, but maybe it isn't required in that role any more.

**Mr Kormos:** But then I read on December 2 in the *Star* about two publishing companies, NC and Pierre Renyi, going into receivership when the ODC terminates its guarantee of the debts. I suppose these people haven't survived their adolescence, because here's two publishing companies that are out of the picture now as a result of the ODC terminating its guarantees. How do they fit into this sort of perspective? I appreciate you were referring to film, not to publishing. Has publishing not survived the gestation period?

**Ms Frum:** I'm glad you made the distinction because I think they are quite different industries. As you said, everyone accepts the fact of life that there will be these cutbacks, that there has to be. That is not to say that no one will suffer as a result, because clearly many individuals and some enterprises like the ones you mentioned will be affected. No question.

**Mr Kormos:** Not everybody accepts them. I have a hard time accepting the cutbacks in the context of multibillion-dollar bank profits, for instance.

**Ms Frum:** But for those of us who see them as inevitable, one has to acknowledge that that will be part of the fallout.

**Mr Kormos:** If, in your view, the government were to defund OAC to a point where it put the role of OAC at risk, would you feel comfortable speaking out as a member of the OAC?

**Ms Frum:** That question you would have to be asked in a larger context. For example, I think it's a very positive step with the establishment of sort of crown foundations where you can get a 100% tax credit for contributions. I'd be interested to know, if they defunded the OAC, what measures they would put in place to allow the private sector to meet or even surpass the levels of support that the government had previously supplied.

**Mr Kormos:** Okay. Thank you kindly.

**The Chair:** Do the government members have any questions?

**Mr Bob Wood:** We'll waive our time, Mr Chairman.

**The Chair:** Thank you for that. Ms Frum, that's it. Thank you very much for coming before the committee. We appreciate it.

We've come to the part of the agenda where we deal with concurrence in the appointments.



**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Adams.

**The Chair:** You've heard the motion. Is there any debate on it? No. Ready for the question? All those in favour of Mr Adams's appointment? It's carried.

**Mr Bob Wood:** I move concurrence in the intended appointment of Ms Frum.

**The Chair:** Any debate?

**Mr Kormos:** I have every intention of supporting the motion, and I appreciate Ms Frum's candour in responding to questions put to her today.

I say but this: I suppose I was hoping, and it's just my anticipation or hope, that Ms Frum as an appointee would come in here, however feckless this hope is, waving the banner for the arts and culture community, perhaps radically. I appreciate that she is in a position where it's this government that's appointing her; it's this government that sets the rules of the game for the moment. When she said, and I responded to this very briefly to her, that everyone accepts the reality of the cuts, and again I'm not suggesting she was being dishonest, I think she was speaking in a very general way, almost a colloquial way. Not everybody does accept the reality of these cuts. I think a whole lot of people understand that these cuts are foolhardy and dangerous from a mercenary or an economic point of view and also from a cultural and societal point of view.

So I'm supporting Ms Frum but I'm just hoping that she, along with other members of this council, is aggressive and indeed radical when the time comes, when need be, to speak out against a government that I am convinced has every intention of defunding arts and culture here in the province. I agree with Ms Frum, as I think most people do, that taxpayers have a role in funding arts and culture. This government doesn't agree. I would just encourage Ms Frum to be outspoken and radical and bold in her position even if it means criticizing this government. I've done it from time to time myself. I have criticized this government, I confess, with, mind you, little repercussion and some great support from the folks down in Welland-Thorold.

**The Chair:** Thank you, Mr Kormos. Are you ready for the question? All those in favour of Mr Wood's motion? It's carried unanimously. Thank you for that.

**Mr Bartolucci:** Mr Chair, I'd like to follow up on the topic of videos and discuss that for a second. I guess, through you, I'd like to ask Mr Wood, is he familiar with the videos and, if so, has he seen them? If so, how many has he seen?

**Mr Bob Wood:** They're training videos for the members of the committee. We're going to try them out on the government members, and if they work we're going to try them out on the opposition.

**Mr Bartolucci:** Maybe he might want to answer the question.

**The Chair:** Does the committee want to view the video at some point? I haven't seen it myself.

**Mr Bartolucci:** I'd like to follow up with some more questions about this.

**The Chair:** Go ahead. Sorry.

**Mr Bartolucci:** I'd like to go back to Mr Wood and ask him, has he seen the videos? Was he aware of the videos? I think that's a legitimate question.

**Mr Bob Wood:** I don't know a lot about the briefings that are done of witnesses. I do know the principle is that they should understand how the committee works, the sorts of issues that may be raised. Basically, as Mr Adams said, they're educational, so they come in here and understand what the process is.

**Mr Bartolucci:** How many videos are there?

**Mr Bob Wood:** I didn't actually know they sent out videos.

**Mr Bartolucci:** Could we have somebody from —

**The Chair:** We could call the public appointments secretariat.

**Mr Bartolucci:** I think there are people over there right now who could probably answer the questions if we brought them up. Would that be in order?

**The Chair:** Do you want to come to the —

**Mr Bob Wood:** Excuse me, no.

**The Chair:** You have to come to the mike.

**Mr Crozier:** Mr Wood is concerned that some truth might come out.

**Mr Bartolucci:** You're not going to allow them to speak?

**Mr Bob Wood:** They're not going to speak, no. Correct.

**Mr Bartolucci:** You must really be impressed with the freedom.

I would recommend, Mr Chair, that we get a copy of each of the videos. I would like to see each of those videos.

**The Chair:** I personally don't think that's an unreasonable request. This committee deals with the people who have seen the video and I think that's most reasonable. We could take the time some day to see one of the videos. I hope it's not a two-hour video, though. It is two hours?

*Interjections.*

**Mr Bartolucci:** Well, if anybody could — excuse me, Mr Chair, because I take this very seriously. I'm really upset that the whip of the government side would know that these videos exist and we wouldn't, nor would the third party. I think it speaks volumes for what this government is all about, and I'm suggesting that I'm not satisfied to sit here any longer until I have seen every copy — every copy — of every video that is sent out.  
1050

**The Chair:** I don't think that's an unusual request, that the committee get a copy of that video. I don't think we have to view it together as a committee but I think we could have that and members should be able to view it at their leisure.

**Mr Gary L. Leadston (Kitchener-Wilmot):** Mr Chairman, when I arrived on this particular committee of ABCs, I took it upon myself to contact the support staff and asked them if there were taped videos of actual hearings and I was given a couple of videos. I can't recall which member was on there or which witness was being interviewed but I did it primarily from an information point of view and I'm sure that's what's occurring here.

I wanted to see what type of question — not necessarily who was asking or who was grandstanding or who was being very dramatic, but from an information point



of view, how did this committee function? What types of questions were asked? What types of witnesses were interviewed? They're available at any time to any member. I don't see that there's any black curtain here to hide behind. It's just a communications —

*Interjection.*

**The Chair:** Order, please. Can we have one person at a time?

**Mr Leadston:** In my mind, it's a communications tool. I'm sure if the honourable member was going on a committee and asked, "What do they do there and what kind of questions am I apt to be asked?" today a video is a very normal communications tool.

**Mr Kormos:** I don't think there's anything wrong with potential appointees receiving as much information as possible about the committee and how it works, including videos. I don't think there's anything wrong with that at all and I think it's a smart thing to do for people who haven't been to a committee before. Quite frankly, the idea could be extended, for instance, to people who appear in front of any number of committees to make presentations. It might well be useful to have a stock video to give to people who are potentially appearing so they get a sense or an understanding, because people come here and they're nervous, they're apprehensive — quite frankly, not so much here but when you're appearing in front of the justice committee or what have you.

But having said that all is fair and good, mind you, when I produce a video, the Attorney General wants to send me to jail. Here the government has a video — and I showed the whole world. I didn't hide my light under a bushel. Ms Martel and I showed the whole world. I don't think there's anything inappropriate in the committee knowing what the video is, and if there are comments to be made, if the video, for instance, unfairly presents a certain aspect, it should be subject to constructive criticism.

I think the idea of a generic video to familiarize people with committees is an excellent idea and I give the government credit for initiating it. As I say, I didn't get the same credit when Shelley Martel and I produced a video, but I think it's useful for the committee to see it, and if we can help prepare a more generic video that doesn't have any spin or slant to it, God bless.

**Mr Bob Wood:** I think the answer to this question for any member of the committee who wants to see anything that the public appointments secretariat uses is to ask them. If you're not satisfied with the answer, come back to this committee.

**Mr Bartolucci:** I'd ask that every video that's been sent out be forwarded to my office, every video, so that I can view each and every one of them. I don't think that's an unreasonable request since Mr Leadston has been privy to it. You obviously have been receiving notes and have been finding out information about it. I would like every video that was sent out to every appointee to be delivered to my office or, if they don't want to deliver them, I will go and pick them up.

**Mr Bob Wood:** Just to clarify: My friend misunderstands a point here. I actually wasn't aware the videos existed. I have not seen them. I didn't even know until

today they had them. I think they're a good idea, but I didn't know about them.

**Mr Bartolucci:** I want to talk to Mr Leadston. He seems to be very much aware of it. Mr Chair, is that an unreasonable request?

**The Chair:** No, I don't think so. So you're proposing that you would make the request directly to the appointments secretariat, and if you have trouble in that process, come back to the committee.

**Mr Leadston:** I would suggest to the honourable member that he just take the initiative and contact the video library on the fourth floor, as I did and my staff did. How long have they been videotaping the various hearings? There might be a few thousand videos, and obviously you'll have time to watch them. We may not have you on the committee, and that's most unfortunate, but go to the fourth floor and request videos on any of the hearings, as I did. It's just a communications tool and it's public information.

**The Chair:** Thank you for that.

**Mr Bartolucci:** Mr Chairman, I suggest it is very much in order that I request every video that every appointee has received for viewing.

**The Chair:** I don't see anything wrong with that. You deal directly with the appointments secretariat, and if you have difficulty, come back to the committee.

**Mr Bartolucci:** Thank you, Mr Chair.

**Mr Crozier:** Mr Chair, when Mr Leadston is saying you go to the fourth floor library, I would be most interested in only those that are sent out to potential witnesses or those witnesses who are going to appear, because when this was first raised, it seemed to me rather odd. For example, I don't think we're videotaped at this session in this room, so suddenly I thought, when was it we appeared in the Amethyst Room that we could be videotaped, or how did they videotape us? I'm kind of curious, among other reasons, to see the quality of it and where it was videotaped.

**Mr Ed Doyle (Wentworth East):** We have had cameras in this room.

**Mr Crozier:** We have cameras in this room?

**Mr Doyle:** We have had.

**The Chair:** But I gather that's not where it took place.

**Mr Crozier:** Where they were put in to videotape us and then taken out?

**Mr Bartolucci:** If these people talk — you're going like this, they're going like this, but they've been muzzled by Mr Wood so we'll never, ever find out what the real answer is.

*Interjections.*

**The Chair:** Order, please. Mr Crozier has the floor.

**Mr Bert Johnson (Perth):** A point of order.

**The Chair:** No. Order, please.

**Mr Bert Johnson:** I have a point of order.

**The Chair:** Mr Johnson, can you let Mr Crozier finish his sentence, please? Go ahead, Mr Crozier.

**Mr Crozier:** It then prompts me to say that I'm not surprised they're sending videotapes and material out to witnesses, considering how poorly some of their first witnesses did.

**Mr Bert Johnson:** I have a point of order, Mr Chair. I would like to know what we are discussing. I thought



there was supposed to be a motion on the floor if we were discussing things in committee.

**Interjection:** We're discussing democracy.

**The Chair:** Has this discussion concluded? I think we all understand what's about to happen.

**Mr Gravelle:** May I make one more point?

**The Chair:** Yes.

**Mr Gravelle:** As I think every member of the committee knows, Mr Wood is I guess chairing a committee that is reviewing the agencies, boards and commissions, and obviously there will be some decisions made as a result of that. I think several months ago we discussed the possibility of having Mr Wood inform us as a committee as to what the progress was or what some of the movement was in that direction, and if I recall, Mr Wood agreed he would be willing to do that.

I understand you've made a presentation to your caucus as to progress, and I'm wondering whether it would be fair to ask you if you could inform our committee, hopefully perhaps next week if we're meeting next week, as to what the situation is. You did, I guess, commit to doing some kind of update and informing us. Obviously some of the decisions might be very major, so I know we'd all be curious about that, and in that you have presented it to the government members, I'm sure that all members on this side would be very interested as well.

**Mr Bob Wood:** I would anticipate an announcement being made in the near future, and if the committee wants a briefing on that once the announcement is made, I would be glad to give as much briefing as desired.

**Mr Gravelle:** It seems to me that when we discussed this previously, you indicated that you would be willing to give us a progress report, and it wasn't a question of being able to do it after the announcement was made. I think you did indicate, and I'm sure we could find it in the records, that you would be willing to give us some kind of progress report, and it would be obviously useful for us to have that. I recognize you want to perhaps wait until the announcement is made, but I think that was what you had agreed to do previously, and obviously as we're getting close to Christmas and presumably next week is our last meeting, it would be helpful for us to have it, in that this is the committee that obviously is the most involved in this particular area.

**Mr Bob Wood:** In the case of the operational, it seems most useful to wait until the announcement is made, and then you can get a complete briefing. In the case of the regulatory adjudicative, I'd be happy to give you some idea of some of the thoughts we have.

**Mr Gravelle:** I'm simply following up on the discussion we had several months ago when you agreed to give us a briefing of some sort in advance of any announcement, a progress report, in essence.

**Mr Bob Wood:** I would be pleased to do that. The committee can designate whatever time it wants and I'll do it.

**Mr Gravelle:** Will we have time at next Wednesday's meeting?

**The Chair:** Next week we do have three intended appointments, just so you know that it's a full morning next week.

**Mr Gravelle:** We have had four appointments, certainly, so if there is time and if Mr Wood was able to give us some kind of briefing, I think presumably all members agree it would be interesting to have that.

**Mr Bob Wood:** I don't know what the timing of the announcement is going to be with respect to the operational ones. Once that is announced, I'd be happy to give you a briefing. Prior to that, I think there's no purpose in a briefing on the operational, for reasons I can't fully share.

**Mr Gravelle:** So you're not willing to give us any information in advance of the announcement.

**Mr Bob Wood:** I'm not authorized; I can't. I can, however, on the regulatory adjudicative, give you some general idea of some of the problems found and some of the possible solutions, so I can give you a briefing that would be helpful on the one. Given the stage this other is at, I think it's best to let it actually be announced, and then I'd be happy to spend whatever time is desired going through what's been done.

**Mr Gravelle:** That would be useful and interesting as well.

**Mr Bob Wood:** If that can be scheduled, let me know that it's scheduled and I'll certainly be prepared to do that.

**The Chair:** We'll have to wait until after the announcement, then. If the announcement is made before next week —

**Mr Gravelle:** This is a little different.

**Mr Bob Wood:** Yes. I can do the regulatory adjudicative —

**The Chair:** Oh, I see. How about next week?

**Mr Bob Wood:** I think some of our members are about to depart. If you want to stay right now, after we've finished the subcommittee, I'll tell you right now if you want.

**Mr Gravelle:** I'm willing to do that.

**Mr Bob Wood:** If we have any interest in doing this now, I will take whatever time you want after this meeting. Bearing in mind I have a thing I have to go to at noon, I will brief you right now.

**Mr Gravelle:** I would be willing to stay.

**Mr Bob Wood:** Okay, I have at least one taker on that. If anyone else wants to join that, please do.

**Mr Gravelle:** I'll take good notes.

**The Chair:** This will be when the subcommittee meets? All right. Any other business? The subcommittee will meet immediately upon adjournment. The committee's adjourned.

*The committee adjourned at 1103.*



## CONTENTS

Wednesday 4 December 1996

<b>Subcommittee report</b> .....	A-549
<b>Intended appointments</b> .....	A-549
Mr Stephen Adams .....	A-549
Ms Linda Frum .....	A-552

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

- \*Mr Rick Bartolucci (Sudbury L)
- \*Mr Bruce Crozier (Essex South / -Sud L)
- \*Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- \*Mr Bert Johnson (Perth PC)
- \*Mr Peter Kormos (Welland-Thorold ND)
- \*Mr Floyd Laughren (Nickel Belt ND)
- \*Mr Gary L. Leadston (Kitchener-Wilmot PC)
- \*Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Clerk / Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service



A-36

A-36

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 11 December 1996

# Journal des débats (Hansard)

Mercredi 11 décembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 11 December 1996

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 11 décembre 1996

*The committee met at 1003 in room 228.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr Floyd Laughren):** If the standing committee will come to order, the first order of business is to deal with the subcommittee reports. The first one is dated December 5. From that subcommittee meeting the third party selected one intended appointee, Mr Ken Koprowski, to the Licence Suspension Appeal Board.

On that matter, if the Legislature sits next week, which it probably will, we could, if you wish, deal with that one intended appointment next Wednesday, or we could put it off to the new year. It would be sort of nice, it seems to me, to tidy that up. Then we'd have nothing until further cabinet appointments are made for the meeting in January, but I suspect there will be appointments between now and then. Would the committee be in agreement with that, that we do this one next week, assuming the House sits?

**Mr Bob Wood (London South):** I'd certainly support that suggestion.

**The Chair:** Okay, so let's schedule Mr Koprowski. That will be the only one. Okay, we'll do that.

**Clerk of the Committee (Ms Donna Bryce):** Did we get a mover for that?

**The Chair:** Can we move that?

**Mr Bob Wood:** I move the adoption of the report.

**The Chair:** All those in favour? It's carried.

For the second one, the subcommittee meeting of December 10, I appreciate the fact that the three parties dealt with that. There were no selections made, so we don't have to deal with that.

**Mr Tony Silipo (Dovercourt):** Just one point on that, if I may. Please correct me if I'm wrong, but this was the report that had about 24 pages of recommended appointees. I have to tell you, that was for us a real problem and it was certainly one of the reasons — that, plus the time. I'm not sure why, but it was moved up to Tuesday, to yesterday. I can tell you that I still have some major concerns about that in terms of us being given a list as long as that and not having, at the same time, adequate time to go through it properly.

I don't know if we can do anything about that, and I don't know if Mr Wood has any explanation as to why the government would land us with such a long list at this point.

**Mr Bob Wood:** Yes. As I outlined at the last meeting, and the other parties were kind enough to assist us, there are a whole bunch of appointments to crown agencies which had to be done before the end of the year so they can accept charitable donations for this tax year.

They have to have a board to receive the money. That's why they all went in as a bunch at the end of the year. As you may recall, the opposition parties were kind enough, for those appointments only, to agree to a two-day earlier deadline. That's for those appointments only. The deadline is 5 o'clock Thursday, unless otherwise changed. As you may recall, the other two parties were kind enough to agree for the crown appointments only.

**Mr Silipo:** So there's time until Thursday, you're saying.

**Mr Bob Wood:** No. What I'm saying is — I don't think you were here at the meeting.

**Mr Silipo:** I wasn't.

**Mr Bob Wood:** I explained what I just explained to the other two parties, and they agreed, for the crown foundation appointments only and that batch of them, that the deadline would be Tuesday rather than Thursday.

**Mr Silipo:** Just those.

**Mr Bob Wood:** Yes.

**Mr Silipo:** So there will be an occasion to have additional names from the rest of the list submitted if we so choose then.

**Mr Bob Wood:** Yes.

**Mr Silipo:** Okay. Thank you.

**The Chair:** Mr Wood is correct. It was agreed among the three parties. Thank you for that. Are you moving this one too, Mr Wood?

**Mr Bob Wood:** I move adoption of the subcommittee report.

**The Chair:** Okay. All in favour? Carried.

## INTENDED APPOINTMENTS

## DALE LAPHAM

Review of intended appointment, selection by the third party: Dale Lapham, intended appointee as member, Council of the College of Medical Laboratory Technologists of Ontario.

**The Chair:** All right. Let us proceed with the business of today. We have three intended appointments for today, and the first one is Mr Dale Lapham to the College of Medical Laboratory Technologists of Ontario. Mr Lapham, we have a tradition of allowing you to make any opening remarks you'd care to make and then have members ask questions. Welcome, Mr Lapham.

**Mr Dale Lapham:** Good morning. My name is Dale Lapham. I'm from the small community in northern Ontario called Hawk Junction. With a population of 150 people, that includes men, women and children, dogs and cats.

I bring a number of life experiences to this position, as a life insurance salesman to an entrepreneur for the last



20 years, running three different businesses at this time. I also serve as a director on four different service clubs. If I am elected to the board, I will bring a fresh open-mindedness and common sense from the rural and northern perspective.

I firmly believe in fair and equal treatment of all Ontarians. If you want to make a difference, you must get involved, so that's why I'm here today. Thank you.

**The Chair:** Thank you, Mr Lapham. Are there any questions from members of the government party?

**Mr Bob Wood:** We'll reserve our time, Mr Chairman.

**The Chair:** From the official opposition?

**Mr Rick Bartolucci (Sudbury):** Just one brief question. Welcome, Mr Lapham. Did you find the video that they sent you instructive at all? Were you able to garner anything out of it?

**Mr Lapham:** Actually, I found that it made me a little bit on the nervous side. I didn't get to watch too much of it, basically because my video machine went nuts.

**Mr Bartolucci:** Sometimes it's like this government. Anyway, listen, good luck in your new appointment.

**Mr Lapham:** Thank you.

**Mr Bruce Crozier (Essex South):** Good morning, sir. No, your video machine didn't go nuts; you were seeing what actually happens from time to time.

I'm interested, did you apply specifically for this position or did you apply generally for an appointment on a board, agency or commission?

**Mr Lapham:** I applied generally.

1010

**Mr Crozier:** Once you were notified this was the pending appointment, do you have some interest in this area in particular?

**Mr Lapham:** Yes, I do. Basically the interest is, during school I was always interested in the sciences and stuff. Over the years, though, I have got more into the entrepreneur part of business, so I figured that would be a very welcome difference.

**Mr Crozier:** You no doubt are aware from information you received that the intent is not to have all experts in the particular field, that they like to have laypeople who may have no experience to add I guess what you're saying is lifetime experience to the board and its decisions.

**Mr Lapham:** Yes. As far as having any formal experience in it, it was basically through school and being interested in the sciences. Outside of that, I have quite an open mind.

**Mr Crozier:** Thank you, sir.

**Mr Michael Gravelle (Port Arthur):** Good morning, sir. Have you had an opportunity to do any research in terms of the duties of being a member of the council? Have you had any chance to do that yet?

**Mr Lapham:** No, I haven't. I just had very brief stuff that was sent to me in the mail concerning the college.

**Mr Gravelle:** What do you anticipate your responsibilities will be? You're right, I think the professional members outnumber the public numbers, but it's very specific about why they want members who aren't experts in the field. What do you anticipate the responsibilities will be and the kinds of issues you'll be getting into?

**Mr Lapham:** I'm not 100% sure. Orientation, as far as talking to the chairperson is concerned, starts January 9, it said. At that time, I would be much more knowledgeable in what my actual duties will be. In talking to the lady, she expressed that I was basically to support the public interest.

**Mr Gravelle:** Best of luck.

**Mr Silipo:** Good morning. I had a similar question to the ones that have been asked, so I'll just pursue that a little bit in terms of, why this particular body? I understand your interest in being involved as a citizen, and I think that's great, but I still can't quite understand why this particular body. Other than your interest in the sciences from your days in school, what do you bring to this body or what is it about it that particularly interests you, as opposed to being a member of any other body?

**Mr Lapham:** That's a very excellent question. I think a lot of it, why I went for something that was more science-oriented, is the logic and conciseness that would be required. I feel that would fit more with my personality.

**Mr Silipo:** How did you express your interest to the government in somehow becoming a member of one of the agencies, boards or commissions? I think you said earlier that when you applied or made your interest known, it wasn't necessarily to any one particular body, this one or any other, if I understood you correctly, so how did that happen? Was it through your local MPP or through other people you know in the government?

**Mr Lapham:** No. Actually, when I applied and received a reply from the government, they also sent me a list of the colleges and stuff, and I based my decision on that list.

**Mr Silipo:** This question I ask, as people around the committee know, Mr Lapham, of everybody who comes in front of us. Are you a member of any political party?

**Mr Lapham:** Yes, I am, sir.

**Mr Silipo:** Which party would that be?

**Mr Lapham:** The Conservative Party.

**The Chair:** Any further questions over here? Well, Mr Lapham, that's the beginning and the end of your appearance before the committee. It wasn't so bad, was it?

**Mr Lapham:** No, no. It was actually very nice.

**The Chair:** Thank you for coming here this morning.

The second intended appointment is Mr Hacio. Is he here? We're a little early, so I'm not surprised that he's not. That's not Mr Johnson, is it? Do we wish to proceed with Mr Johnson now?

**Mr Bob Wood:** Why not?

**The Chair:** I agree. Mr Johnson, thank you for being here so early. Mr Johnson is an intended appointee to the Hamilton-Wentworth District Health Council.

**Mr Crozier:** Mr Chair, I have a bit of a problem with this, in that we have a member who was coming in at 11.

**The Chair:** That's a fair point.

**Mr Crozier:** I can make a call.

**Mr Bob Wood:** Why don't we deal with the concurrence, and Mr Crozier can see if the member is available.

**The Chair:** We'll do that.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Lapham.



**The Chair:** You've heard the motion. Is there any debate on it? No debate, so you're ready for the question. All those in favour? It's carried.

We'll wait a moment until Mr Crozier has made his phone call, and we'll see where we go from there.

**Mr Crozier:** Actually, I'd prefer to wait until the scheduled time, if we could. I'm sorry, I'm not being obstructive, it's just that we didn't think it would move this quickly.

**The Chair:** I think it's appropriate that we wait.

*The committee recessed from 1019 to 1023.*

### CHRISTOPHER HACIO

Review of intended appointment, selected by third party: Christopher Hacio, intended appointee as member, Licence Suspension Appeal Board.

**The Chair:** Mr Hacio has arrived. We welcome you to the committee. It's traditional that you have an opportunity to make any opening remarks you'd like before the members ask you the questions.

**Mr Christopher Hacio:** Yes, I will. First, I'd like to thank the committee for considering my appointment. By way of background, I was born and raised in Thunder Bay. I obtained my business degree from the University of Western Ontario. I attended Lakehead University for a portion of my education; I obtained several courses there. I've taken the Canadian securities course. I obtained my law degree in 1988 at the University of Ottawa. I articulated in Toronto at a firm not far from here, McCarthy Tetrault, where I worked for about two years.

I'm presently a partner in the law firm of Erickson Larson in Thunder Bay. My practice is restricted to civil litigation, and the areas of concentration in which I practice are employment law, construction law, personal injury and some family law.

I've appeared in front of many administrative tribunals over the years and continue to do that, not dissimilar to the panel I'm seeking appointment to.

In terms of community involvement, I think you all have my résumé. I've been involved in several charitable, non-profit organizations. I'm presently on the Thunder Bay ventures board on several committees; they are a non-profit organization that attempts to develop economic opportunities in northwestern Ontario. I'm on the board of directors of St Joseph's General Hospital right now, which occupies, given the health restructuring, a substantial amount of my time at this time.

I'm married and I have two young children.

Those are my submissions and I'd be happy to answer any questions you may have.

**Mr Bob Wood:** We'll reserve our time.

**Mr Bartolucci:** Welcome, Mr Hacio. How was the flight down?

**Mr Hacio:** There was a little bit of turbulence. My stomach's still settling.

**Mr Bartolucci:** My questions probably have nothing to do with your appointment to the board. Under "other interests" on your résumé, I see skiing and "gold" and camping.

**Mr Gravelle:** It must mean golf.

**Mr Bartolucci:** Is it "golf" or "gold"?

**Mr Hacio:** The way I play, it's hard to say, but it's supposed to be golf.

**Mr Bartolucci:** I wondered. Gold's my interest; I'd like any tips you could give me.

You received a package of information in preparation for the meeting. Did you find the video instructive at all?

**Mr Hacio:** I had heard I might be asked about the video. I had seen some of the people who presented information asked questions before this committee in the past on television, so it didn't do much for me. I had seen that type of information before.

**Mr Bartolucci:** You said you may be asked about the video. Who told you you might be asked about the video?

**Mr Hacio:** I'm not sure what the relevance is, but if you really want me to answer that, I will. Again, I don't see any significance to my appointment.

**Mr Bartolucci:** Sure, answer it. It may not be relevant to you, it may not be relevant to any of us, but —

**Mr Hacio:** In terms of who recommended the video to me?

**Mr Bartolucci:** No. Who told you you might be asked about the video? Was it Mike?

**Mr Hacio:** A member of the committee suggested that I might be asked something about the video.

**Mr Bartolucci:** That was probably a good answer. Do you think the video is a necessary part of preparation for this?

**Mr Hacio:** I think it's helpful for anyone to know what they're going to experience.

**Mr Bartolucci:** You didn't find it particularly interesting or informative.

**Mr Hacio:** I think I found it both of those things.

**Mr Bartolucci:** Did you find it instructive at all? I ask that very seriously.

**Mr Hacio:** Yes. It was something that assisted me in preparing to appear before this committee.

**Mr Bartolucci:** How did it prepare you to appear before the committee?

**Mr Hacio:** It gave me an idea of what to expect in terms of questioning. I'm not so concerned about that as I was the rules, the procedure.

**Mr Gravelle:** In terms of this particular appointment to this board, it strikes me, from your opening remarks, that you may have had some experience in your legal work, as you mentioned personal injuries and stuff like that. Have you ever had any legal work that involved the Licence Suspension Appeal Board in terms of people appealing their licences?

**Mr Hacio:** No, I have not.

**Mr Gravelle:** Did you request this particular board? I'm curious how it came about that you are being put forward for the appointment. Was this a specific agency you said you'd be interested in?

**Mr Hacio:** I'd spoken to a gentleman in Thunder Bay who seemed to be aware of when appointments came up. They don't get posted as often as I'd like to see them. I was interested in looking for an interesting appointment, something I think I can add something to. A gentleman called me, from my recollection, several months ago and said he had heard about this appointment. He thought I'd be a good candidate and he asked if he could submit my



name. He then sent me some preliminary information, which I reviewed, and I said I'd be interested in having my name submitted. I don't know what involvement he had in that other than submitting my name. I submitted no application myself, no.

**Mr Gravelle:** There's been a number of changes in the Highway Traffic Act in some of the rulings, the 90-day immediate suspension, I guess, and also in how drivers 80 years or older are being dealt with. What is your view of those particular changes and the effect they'll have?

**Mr Hacio:** Hopefully, a positive effect. Some of the material I've had the benefit of reading has some studies that have been done in other jurisdictions. Other provinces in Canada have implemented the same type of policy and they've found it has cut back on the number of impaired drivers. I hope that's the effect this policy is going to have. That's what I understand they seek to achieve, and if other provinces are any indication, then it should be successful.

1030

**Mr Gravelle:** I understand you can appeal the 90-day suspension, though.

**Mr Hacio:** Yes.

**Mr Gravelle:** Have you had an opportunity to do any research of the kinds of cases — this is a very interesting and delicate board, I think, because it is a balancing act between the rights of individuals and obviously the protection of the public in terms of people being able to drive. Even in my constituency, I've had a number of interesting cases of people who, for example, will say to their doctor, "I've had dizzy spells," and the next they know a call has been made to MTO and their licence has been suspended. I'm not in any way saying that's right or wrong. I just know that is a delicate process in terms of protecting the public. Have you had a chance to look at any of the cases reported, given any thought to how you're going to approach it?

**Mr Hacio:** Unfortunately there are no cases to review yet. From what I understand, as of yesterday there have been no appeals filed that I'm aware of. In Toronto there have been about 800 or 900 suspensions since the new law was implemented. In Thunder Bay there have been 30 or 40. My understanding is that only three or four people have requested the appeal documents and no appeals have yet been submitted.

**Mr Gravelle:** I didn't mean just specifically in terms of the 90-day one; any other cases, in terms of some of the matters that the board deals with.

**Mr Hacio:** In terms of my appointment, though, at this point the panel I would sit on in Thunder Bay would only deal with these licence suspensions.

**Mr Gravelle:** I didn't realize that.

**Mr Hacio:** Yes. I've had some clients who have come down to Toronto, and the committee that handles the other portion of the appeal board out of Toronto comes to Thunder Bay, but they have a standing committee in Toronto that I understand is somewhat flexible about locating in various points in Ontario. They're talking about expanding this board to include other licence suspensions like too many demerit points, dangerous driving, careless driving, but I won't be dealing with those issues initially.

**Mr Gravelle:** You'll be dealing specifically, then, just with the 90-day suspension issue?

**Mr Hacio:** Correct.

**Mr Gravelle:** That wasn't entirely clear. That will be interesting too. You need to see the cases, obviously, but what do you anticipate in terms of a situation where somebody has received a suspension and feels it's unfair? Obviously a legal mind too, presumably, would be useful to you. Have you given any thought to the kinds of scenarios whereby you could see a situation overturned and vice versa? Maybe that's not fair; I'm just curious as to how you might view it.

**Mr Hacio:** The amendments to the Highway Traffic Act are very clear. There are only two grounds to seek an appeal: One is that they've got the wrong person, so they've charged the wrong person with impaired driving or refusal to blow; number two is that you couldn't blow because of medical reasons. The grounds are very limited. I think the Highway Traffic Act is abundantly clear that those are the two exceptions; you come into either one or the other, and if you're not successful on one or two then your licence will be not reinstated.

**Mr Gravelle:** I'm sure you'll be a fine appointment to the board.

**Mr Hacio:** Thank you.

**Mr Crozier:** Just to pursue that a little further, I want to preface it by saying I think we all want to do whatever we can to limit or eliminate drunk drivers on our highways. I don't want to be mistaken in any way in my support of that, but we may have a case where having their licence taken away may have been a mistake. We go on the premise, of course, that you are innocent until proven guilty. How you do feel, as a lawyer, about suspensions such as this?

**Mr Hacio:** Like most laws, it's always that tradeoff between infringing personal rights of the individual versus protecting the public. I think impaired driving is intolerable. I don't tolerate it and I don't want to tolerate it. The way I try to assess a law and whether it's reasonable is, would I live with it if it were me? If I was caught and charged with impaired driving, I am presumed innocent until proven guilty, number one. Number two, I would accept that it's worthwhile to take my licence away for 90 days because studies indicate as well that people who are charged with impaired driving or refusal to blow, prior to having the trial date on that particular charge, often violate the law a second time if they're a frequent offender. These are the kinds of people they want to get off the roads for the 90 days, and during that time hopefully they'll have their trial and the suspension will continue.

I think it's worthwhile and in the public interest, to protect the public, to infringe this personal right, and I'm satisfied that it's an appropriate law. I'm not going to judge the government on whether I would have done the exact, same thing. It appears to me that they've looked at other studies across Canada, found something that appears to be working and implemented something very similar.

**Mr Crozier:** It's my understanding as well that if they're later found to be guilty under the Criminal Code and their licence is taken away for a year, the 90 days is



not part of the suspension period. Is that a point that you as a lawyer might argue is unfair, or do you find that fair?

**Mr Hacio:** You're correct; the 90 days would not reduce the usual one-year suspension you'd get. Would I have done it differently? I may have if it were up to me, which it's not; it's up to the individuals sitting at this committee. If the person were given a further suspension I likely would have reduced it by the amount of time served under this 90-day suspension. That's not the law I'm dealing with and I don't have any problem enforcing this law. I don't think I feel prejudiced or biased in any way that I would have done it differently. As a lawyer I enforce. I try to defend my clients. I use the law as it sits before me, and if I have complaints, which I occasionally do, I make the appropriate complaints to the appropriate people and hope for a change.

**Mr Crozier:** What area of law do you practise in?

**Mr Hacio:** Civil litigation, which is court work. The majority of my work would be employment law related. As part of that I do a lot of work before administrative tribunals through the Ministry of Labour, under the Canada labour code, workers' compensation, unemployment insurance, which are tribunals very similar to this type of committee.

**Mr Silipo:** Mr Hacio, do you accept or do you have any problems with what I gather the case law has established, that in hearings before the board the onus has to be on the registrar of motor vehicles to "show cause why the licence should be suspended" and that this onus should be on a balance of probabilities? Does that make sense to you?

**Mr Hacio:** I don't know if my opinion is particularly important to my appointment to this committee. I've read several cases dealing with licence suspensions and I've read the one in some of the material I've gotten. I don't know. I couldn't really express an opinion on that. I don't do enough work in this particular area, nor do I think many lawyers could or would, to express an opinion either way. I can tell you that generally in criminal law the test is "beyond a reasonable doubt." In that case one of the justices, and I'm not going to question his decision, suggested that it should be on the balance of probabilities when it comes to licence suspensions.

**Mr Silipo:** As I understand it, this is what the law says needs to be the test and therefore the way you as a member of the board would apply your jurisdiction to either uphold or reject a suspension. I'm very interested in your approach to this because you're going to be making decisions about whether somebody's suspension of a licence should be maintained. Obviously nobody would pretend you can make those decisions other than on each individual case, but I think it isn't that unfair of us to ask you what your approach to making those decisions would be based upon.

**Mr Hacio:** Given no case law on this particular issue, I begin assessing them pursuant to that case, which appears to be the most often reported case referred to on the balance of probabilities, which is a lesser standard than the criminal standard.

**Mr Silipo:** The onus being on the registrar?

**Mr Hacio:** I believe that's correct.

**Mr Silipo:** If your appointment is approved you are going to be the 27th member appointed by the present government to this board — this is a board that under the previous government had fewer than 10 members — and this is also happening at a time in which the current government is going about reducing the number of tribunals and the number of people on many of those tribunals. Does it give you any thoughts or concerns that this is the one area where there seems to be a real growth, in the number of people appointed to tribunals?

**Mr Hacio:** I didn't know the number of people who have been appointed. I think it's a good law and I think it's going to be an effective law, and if it takes more people to enforce it, then I think that's appropriate.

**Mr Silipo:** Are you a member or supporter of any political party?

**Mr Hacio:** I'm not a card-carrying member of any political party. Do I support a particular party? I would say no. I tend to support issues and people. I've been involved, I think, with all three levels of government before this legislative committee and I've supported them on various issues, attended various functions.

**The Chair:** Any further questions of Mr Hacio?

**Mr Bob Wood:** We'll waive our time.

**The Chair:** Mr Hacio, thank you very much for coming before the committee and responding to questions. We appreciate it.

**Mr Hacio:** Thanks for your time.

**Mr Bob Wood:** Would it be appropriate, Mr Chairman, to move concurrence?

**The Chair:** It's fine by me. Is it okay with other members? Okay.

**Mr Bob Wood:** I move concurrence on the intended appointment of Mr Hacio.

**The Chair:** You've heard the motion. Any debate? Are you ready for the question? All those in favour? That's carried unanimously. Thank you for that. It's concurred.

**Mr Gravelle:** You made it, Chris.

**The Chair:** We'll wait for a report from Mr Crozier.

**Mr Silipo:** Why don't we take a look at the video while we're waiting?

**The Chair:** It's two hours.

*The committee recessed from 1041 to 1048.*

#### RAYMOND JOHNSON

Review of intended appointment, selected by official opposition party: Raymond Johnson, intended appointee as member, Hamilton-Wentworth District Health Council.

**The Chair:** The committee will come to order. We're now prepared to deal with the intended appointment of Mr Johnson to the Hamilton-Wentworth District Health Council. Mr Johnson, thank you for being so patient this morning. If you would take a seat and make any opening remarks you'd care to make, we can proceed.

**Dr Raymond Johnson:** Thank you, Mr Chairman and members of the committee. I thought since you have my résumé in front of you I wouldn't bother to give you a synopsis of it, but I would like to present two reasons why I think I have something to contribute to the district health council.



First of all is my record in community service, which is quite extensive although it's not mentioned that much in my résumé. I've been a member of Lions Clubs International for 36 years and served as president of my local club a number of times — actually two, I guess. I've been through the district offices and now serve on the national board of Lions Clubs International. So I've had extensive experience from a service perspective. I might add, as well, I've received four international president medals as a result of my work for Lions Clubs International.

In the area of sport in the community, I was on the initial steering committee which formed the model for Sport Ontario and served on that board after that a few years ago. I was the first athletic director who was president of the Ontario Universities Athletic Association and also secretary-treasurer of the Canadian Inter-university Athletic Union.

Locally, which is the most important aspect of what I bring to the council, is the fact that I've chaired a number of boards within the Hamilton-Wentworth area. I chair the board of Bold-Park Lodge Inc, which runs three recovery homes for drug and alcohol-addicted people in the Hamilton area. I was the founding chairman of the Hamilton-Wentworth Drug and Alcohol Awareness Week committee; also the founding chairman of the Hamilton-Wentworth Community Action Group on Substance Abuse. I was a founding member of Crime Stoppers Inc, which was the first one in Ontario. I switched from that and at the present time I'm on the board of an organization called The Bridge, which helps prisoners coming out of prison rehabilitate themselves into the community. Finally, I'm on the board as treasurer and chairman of a group of people called the Black Youth Achievements centre, which is running a unique pilot program for the community to allow young black youth to get some training in entrepreneurship so they can establish their own businesses. So I bring that kind of experience to the board, a sense of involvement in the community.

The second point I would like to make of what I bring to the board is my qualifications with respect to health. First of all, my doctorate degree is in the health science area. While studying for that degree we had lots of opportunity to formulate a vision of what health is and what it should be and perhaps modifications and various models that could be used to improve health. One of my areas that I had to concentrate on was the Canadian health system, although I took my degree in the States.

The other thing I bring, of course, is the work I did which got me interested in the health council. I was appointed chair of the health action task force in Hamilton. It was a group of 11 people who were responsible for developing a comprehensive health plan which would help Hamilton develop its health care services into the 21st century. Our motto for that was "Delivering the right service in the right place at the right time." I think it was because of my work there that the district health council, although we didn't totally agree in our final submission, still asked me if I would be interested in becoming a member of the council. So I went through their interviewing process and I guess they saw fit to

bring my name forward here. That's why I'm here this morning. So thank you for that opportunity.

**The Chair:** Any questions from the members of the government?

**Mr Bob Wood:** We'll reserve our time, Mr Chairman.

**The Chair:** The official opposition?

**Mr Dominic Agostino (Hamilton East):** First of all I want to welcome Mr Johnson. I certainly know of Ray's commitment to the community and the great work he has done. I've been involved in a number of committees with him over the years. There's no doubt in my mind as to the role Ray has played in the Hamilton-Wentworth community and his contribution particularly to young people through his coaching at McMaster and other community involvement. I want to commend you for that at the outset.

The area I want to talk about is more one of your philosophy going into the district health council, particularly in view of the Hamilton health care task force that you chaired, the action task force, which recommended initially the closure of St Joseph's Hospital in Hamilton. That led to probably the greatest backlash to any political recommendation that I think we have seen in the city in a long, long time; a mobilization of the community that many people had not seen in years as a result of the recommendation that St Joseph's Hospital close.

Then it proceeded that the task force went back and said: "We still believe a Hamilton hospital should close but we're not going to recommend which one at this point. We're not sure which one it should be. It may be St Joseph's, it may be another one." I guess the first question is, do you still believe there must be a closure of at least one Hamilton hospital?

**Dr Johnson:** Yes, I still do, Mr Agostino, and I say that based upon the information we collected in the study. It was a very onerous task. We spent a lot of time and effort going over all of the data that were presented to us, and I still haven't changed my mind. I would like to correct one error, though. We didn't suggest closing St Joseph's Hospital, we suggested moving it. Unfortunately the information leaked to the press before we were able to present it to the chairs of the boards, and they only told half the truth, so people got up in arms because I don't think anyone wanted to see St Joseph's Hospital close.

Our recommendation for moving it was the fact that we felt it was one of the most efficiently run hospitals in the city and we felt it had an excellent record. In my mind, the building itself is not what makes the hospital, it's the people who serve the needs of the community. So I felt those needs could be transferred to another site and we could do a better job of serving the Hamilton community, because as you know, the Mountain area is the fastest growing area in Hamilton and there isn't really adequate service on the Mountain.

**Mr Agostino:** What I meant would have been basically the elimination of one of the major hospitals in the downtown core in the city of Hamilton. The Sisters of St Joseph had served the community for over 100 years, and that was part of the reason. But beyond that, the recommendation further was that Hamilton simply have one less hospital, and that was the follow-up to that.



The district health council will play a role in the decisions that are made in the future. Do you not see that that bias — obviously the community has spoken very clearly in Hamilton-Wentworth. You'll find very few people in the city of Hamilton and the region who believe there should be a closure of any one hospital. We also have a report and a recommendation, which was put together by all of the CEOs and agreed to by the boards of all the Hamilton hospitals, that said, "We can work within the government cuts, we can work within the 18% cut to the hospitals and still be able to provide and deliver the services without closing any of the Hamilton hospitals."

Do you not see the fact that what I see as a bias towards the closure of a Hamilton hospital, as a member of the district health council, will cause some concern in the community? I believe that will help lead the district health council in a way that the city of Hamilton and the region, most of the citizens — and I agree. It's that bias that I see towards a closure of a hospital that I think is a difficulty here.

**Dr Johnson:** I don't see a difficulty for the simple reason that the majority of people in Hamilton didn't actually go against the closing of a hospital. We got a big response — as you say, 140,000 people responded — and I answered every one of those. I can assure you that all of them were not opposed to the closing of a hospital. They were opposed to something that was given to them that was not quite accurate, and that was that we were closing St Joseph's Hospital, which we were not doing; we were moving it. So almost half of the responses we got — and they were in the form of petitions. The wording at the top of the petition was incorrect, so people were answering an incorrect petition by saying we were closing the hospital. That wasn't the case.

From the medical profession, we got a lot of support. I would say, if I were to go through the letters I have, that the majority of the medical profession supported me. I think what you had from the CEOs — and I met with them many times to try to resolve this issue — is a self-interest involvement here. Nobody wants to close and put themselves out of a job. They don't want to lay off people, and we certainly didn't want to do that. In our proposal, we weren't laying off people, we were amalgamating or merging two hospitals and shifting services around to all three so the community would be adequately served.

Unfortunately, people only read one eightieth of the recommendations. There were 85 recommendations there, only one of which dealt with the hospitals. The rest dealt with the rest of the community. We were dealing with the entire health care system, not just the hospital services. My firm belief is that if the study is carried out by the restructuring committee — that is, where they come in and they recognize that we're short of chronic care beds in Hamilton; we have a lot of needs there — if those needs are taken care of, we don't need the number of hospital beds we presently have.

I think the other thing as well is we've closed close to 1,000 beds in Hamilton-Wentworth and we haven't closed one building. That doesn't make sense to me when you have 1,000 beds gone — that's a hospital — yet you

haven't closed the building. The bricks and mortar cost a lot of money. Some of the examples of some of the reasons that people gave for not closing it were erroneous. In other words, they said that we were moving services, and we said very clearly in our recommendation that we would leave that up to the experts. That was all pushed aside because of the emotion that got involved in the closing of St Joseph's Hospital.

1100

As to my feeling any conflict coming on the council, the council that appointed me were the people I had the conflict with. They know me well enough to know that I'm an open-minded person. If you can convince me otherwise, with data and not with emotion, then I'm prepared to change my mind. Some of those people have come to me and said, "I think your report is pretty good," after they've had a chance to look at the entire thing. That's quite often what happens when people respond emotionally and not rationally.

**Mr Agostino:** Just to follow up briefly, the concern I have is, first of all, that the district health council in Hamilton, as with district health councils across this province, is getting intimidated by this government, as hospital administrators are getting intimidated by this government. Hospital administrators are being told, "If you oppose us, we're going to go after you." We're working within that climate. That is a problem. That's not a climate that, obviously, you're participating in, but that's a climate that I believe this government has, that we have seen time after time.

An example of that would be when I raised a question in the House when Dr Rowand, the new CEO at Chedoke-McMaster, suggested, "Because of cuts we may have to close a hospital, because of what the government has done." The minister's response was, "I'm sure he regrets saying that." Mr Rowand repeated the same thing two weeks ago and said clearly to the minister: "I don't regret saying that. I stand by what I said." But there was a clear attempt to intimidate the CEO of a hospital because he gave an opinion that in view of the cuts they might have to close a hospital.

I'm not surprised the district health council would buy into what the government is pitching. They're scared, they're afraid and they've been intimidated and bullied by this government. When we have that scenario already and then we have another appointment, of an individual who I believe has a great deal of integrity but who goes in with the idea that we have to close one Hamilton hospital, it sets up a very difficult climate, in my view, for any opportunity. People get very emotional about their community hospitals. Damn right, they should get very emotional about their community hospitals. I would hope that people fight tooth and nail across this province to keep every damn hospital and every community hospital open because most people want to know that if they need it, it's there; that if they have a heart attack, it's somewhere close and will not have to go 20 minutes across the city. That's what it's all about and that's why people get emotional. We had 100,000 names on petitions on St Joseph's Hospital — that is one third of the population of the city of Hamilton — to keep that hospital open.



That is the concern and that is the reason I have some difficulties with the appointment. It is not a reflection of Mr Johnson's ability or his commitment or his work for the community, but it is a view that will not help the community in our challenge to keep every hospital in the city of Hamilton open, as I believe they should be.

**Mr Silipo:** I want to pursue the same question. Mr Johnson, I appreciate very much your explanation about why you've taken the positions you've taken and I respect your right to have those positions. I am concerned, however, about the message that your going on to the district health council would give to the community, because it seems to me that there has been here in Hamilton a fairly extensive discussion about the restructuring, obviously focusing on the role the hospitals would play in the delivery of health care services for the community. With the establishment of the network, with the work that you did through the task force, the district health council then chose to take a course of action which you, at least in one significant part, disagreed with.

My concern would be that in appointing you to the district health council, that would be read as a message that the issue somehow now is open for discussion again. I just would be interested in your comment on that because that's a significant issue. Others have commented on your credentials as somebody who's been committed and involved in the community, and I don't know that anybody would question that in the least. But your appointment would send a fairly clear message which gives me some concerns — I know it would give my colleague Dave Christopherson equal concern — in terms of the message that would go out to the community, given all the discussion and given that the district health council has recommended something that you would not have supported.

**Dr Johnson:** I would say this: I appeared before the executive of the council. I appeared before the entire council. It would seem to me that if that council is not concerned about my coming on, then I don't see why this committee should be. I think the reason that council's not concerned is because it knows that I made the decision I made based upon data presented to me. They also know that, politically, we listen to the people. The people said, "We don't want to close that particular hospital," so we backed off. If I weren't a sincere, conscientious man, I wouldn't have done that. I would have said: "This is what the data tell me. This is the way it's got to be." However, I'm not a politician in the sense that I have to listen, and I have some difficulty with politicians who only listen to the people. They're appointed in a position of trust. Also, they're appointed in a position of leadership. If you have more data than the people you're serving, you should at least share those data with them and tell them why you've made a decision.

In this case I can honestly say that a lot of the data weren't shown. If you look at the report our CEOs presented, 80% of it was our report. The only change was in not closing one hospital. They simply agreed to keep that open. They couldn't agree among themselves because they agreed to downsize one hospital and the doctors in that hospital objected, so they turned around and changed their mind. There was a constant battle between the city

fathers and the doctors in the community about closing that one particular hospital. They fought and said we should keep them. They didn't say that. When they came to the compromise, they compromised and said, "We agree to three and a half hospitals." Then they had some static on that and they went to four. The inference for me was that perhaps they were making their decisions strictly on financial matters.

What I should have prefaced all my remarks with is that I don't believe you make decisions in health care strictly on dollars. We did not do that. We developed our plan first and said, "If it saves money, so be it." As it turned out, it saved money and they were happy. We didn't say that these people in the city of Hamilton had to cut 18%. The government said that. That was not our concern at all, and that was made very clear to the government when we presented our report, when we were working on it, and that was acceptable.

**Mr Silipo:** Mr Johnson, I'm not in the least questioning your motivations in arriving at the conclusions you did. Obviously, as you say, you looked at all the information that was there. I would just say, equally, that I'm not sure that it's fair to question other people's motivations in terms of what they arrived at. Clearly there was, from what little I know about the whole process, lots of discussion in the Hamilton community about this. As a result of that discussion, the district health council arrived at certain recommendations which it has now sent to the hospital restructuring commission and the minister. I just continue to have a concern about the message your appointment would send. As I say, it's not in the least questioning your motivations, but that still remains a concern.

Just to pick up on one little point from that, do you expect anything further to come in terms of discussions at the community level, other than waiting now for the report and the recommendations from the Health Services Restructuring Commission?

**Dr Johnson:** Yes, I think there will be something further coming. It was my understanding that there's still concern. Further data are being collected to explain why we need four instead of three. I've seen some of that data and I don't see any reason that we should have changed our report, but there have been additional data come forward that may necessitate a slight change.

**Mr Silipo:** I have one last question which I ask of all people who appear before here, whenever I have the time to, and that is, are you now or have you ever been a member or supporter of any political party?

**Dr Johnson:** I'm a card-carrying member of the Conservative Party.

**The Acting Chair (Mr Michael Gravelle):** Would the government members wish to use their time?

**Mr Bob Wood:** We'll waive our time.

**The Acting Chair:** Thank you very much, Mr Johnson.

We moved concurrence earlier on the first two appointees. Is there any motion for concurrence for Mr Johnson?

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Johnson. I'd like to point out to the committee that he taught me high school, which in itself



was a challenge. I can recommend him very highly to the committee.

1110

**The Acting Chair:** Is there any debate on the motion for concurrence?

**Mr Bartolucci:** I'm not going to be supporting the nomination of the gentleman, and let me tell you why. I think he operates with blind trust. I don't know if he's prepared to respond in a very proactive way to a Health Services Restructuring Commission that may not listen to the community. Dr Johnson, that happened in Sudbury. The Health Services Restructuring Commission decided to slap the community in the face, to shut the door on the DHC, to effectively disregard two and a half years of toil, of sweat, of community involvement. They weren't prepared to listen to them at all. They gave no time to the report and ended up closing two of our acute care hospitals and not following any of the recommendations of the local DHC. I don't know if you're prepared to fight that. You have to be prepared to fight the commission, whether you believe in the agenda of the government or not.

**The Acting Chair:** Can you address the Chair with your remarks?

**Mr Bartolucci:** Absolutely. Mr Chair, you have to be prepared to fight the commission based on data, because it won't listen to anything else. But they won't listen to local data; that's the problem. So you have to ensure that the appointments you make to the DHC, whether or not they go through the nomination process — and it's interesting to note, at least, that he went through the nomination process. In Sudbury, when the DHC wouldn't listen to the minister, the minister got rid of almost half the board and decided to make his own appointees without going through the nomination process.

These are just some of the things that you're going to have to fight, and I only wish that you would have presented — your dedication I don't challenge, your commitment I don't challenge, but what I do challenge is your ability to want to fight the commission if it rules against the DHC. We're living it in Sudbury now — the final report's going to be coming down next week — and we see the frustration, but we also see the importance and the necessity of having every member of the DHC committed to fighting the Health Services Restructuring Commission on the grounds that it's wrong and the local option is right.

**Mr Silipo:** More often than I would have liked to see it, we've had people appear before this committee with little knowledge about the issues they would be dealing with in the body or board they were being recommended for appointment to, and on some of those occasions I've not supported the appointments for that reason. Here we have a situation in which we have a gentleman who clearly understands the issues, is well versed with those, has been a participant in discussions that are going to continue to affect the Hamilton community as far as the future of health care delivery is concerned. I want to be very clear that in not supporting his appointment I'm doing it on the very strict grounds that I believe that his appointment to the Hamilton-Wentworth District Health Council at this point in time would give the complete

opposite message than needs to be given. It would seem to set up another debate that the community, as far as I can tell, has had and has concluded through the recommendation of the district health council that while there should be restructuring there should not be any closings of hospitals. That's a position that I, not being from Hamilton, have certainly watched and seen. I know that's the position that my colleague Dave Christopherson supports.

For that reason it would be inappropriate to appoint Mr Johnson to the district health council at this point in time, so I can't support his appointment. I do that with some regret because I find him to be, as I said, not just somebody who understands the issues, has been involved, but obviously, from what other people have said, also somebody who has been very active in the community, and so normally the kind of person who you would want to see appointed to a body like this. But in this case the message that would go out to the community is absolutely the wrong one. It could be seen as an attempt by the government to revisit the issue and that would be unfair to the community.

**Mr Agostino:** Just on the same point, Mr Chairman: My colleague Mr Bartolucci pointed out the fact that the restructuring commission will be paying its visit and creating havoc and bulldozing its way through Hamilton some time in the new year. There's no doubt in my mind that this commission will come in and do what it has done to other communities, that is, order hospital closings. There's no doubt in my mind that the minister will blindly buy into that commission's recommendation, as he has in other communities. We're looking for the district health council to be an ally with the community to fight and protect Hamilton hospitals. That's the role we're hoping the health council will play.

I want to remind the committee and Mr Johnson that all six area MPPs, from all three sides of the House, spoke out very clearly over that one hospital closure. All six opposed the hospital closure, and I expect that that will happen with any hospital closure, that all six MPPs will show the same courage if there is any hospital recommended to be closed, as we did with St Joseph's. It was one of those rare occasions where all three political parties and all six members came together with the region and with the mayor, and made it very clear that we oppose any hospital closures. That cut across political lines, but that was in the best interests of the community.

This is why I think the district health council has to play that same role, and that is the concern. I know Mr Johnson's appointment will go through today. I certainly hope that the district health council will see that as its role, that it's there to protect Hamilton hospitals. They're not there to automatically and blindly buy into the government's agenda of simply shutting hospitals down. I hope that when this appointed, handpicked commission that the minister has created to do the dirty work for him steamrolls through Hamilton Mr Johnson will show leadership on that district health council and fight those recommendations and hopefully join all six MPPs in the Hamilton area, as we did in the one case, to oppose any hospital closures.



**Mr Gary L. Leadston (Kitchener-Wilmot):** Chair, I'd like a recorded vote. The record should reflect the fact that our learned colleagues over there are opposing someone of the highest integrity. His educational background blends perfectly with the district health council. His very strong community background in their community stands well for this individual.

There are 19 members on the district health council, if I'm correct, in Hamilton-Wentworth. He's one vote of 19. There are elected officials on the DHC.

His community background: The awards that he's won through Lions Clubs International — and I'm sure many in this room are familiar with Lions Clubs International — are not given lightly. This is a man of integrity, a man of honesty, straightforwardness. In his responses this morning he was quite candid, and I'm sure that if there's going to be disagreement he'll stand by his principles, as he has throughout his community and his professional life.

I'd like the record to reflect the members opposite who are going to vote against an excellent candidate to serve the citizens of their community, Hamilton-Wentworth, on the DHC.

**The Acting Chair:** Further debate? We have a motion for concurrence and a request for a recorded vote.

**Ayes**

Doyle, Elliott, Ford, Bert Johnson, Leadston, Newman, Bob Wood.

**Nays**

Bartolucci, Silipo.

**The Acting Chair:** The motion is carried.

The government agencies committee is adjourned until next Wednesday; that is, if the House is sitting.

*The committee adjourned at 1119.*











## CONTENTS

Wednesday 11 December 1996

<b>Subcommittee reports</b> .....	A-559
<b>Intended appointments</b> .....	A-559
Mr Dale Lapham	
Mr Christopher Hacio	
Dr Raymond Johnson	

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)  
**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

\*Mr Rick Bartolucci (Sudbury L)  
\*Mr Bruce Crozier (Essex South / -Sud L)  
    \*Mr Ed Doyle (Wentworth East / -Est PC)  
\*Mr Douglas B. Ford (Etobicoke-Humber PC)  
    \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
        Prince Edward-Lennox-Hastings-Sud PC)  
\*Mr Michael Gravelle (Port Arthur L)  
    \*Mr Bert Johnson (Perth PC)  
    Mr Peter Kormos (Welland-Thorold ND)  
    \*Mr Floyd Laughren (Nickel Belt ND)  
\*Mr Gary L. Leadston (Kitchener-Wilmot PC)  
    \*Mr Dan Newman (Scarborough Centre / -Centre PC)  
    Mr Peter L. Preston (Brant-Haldimand PC)  
    \*Mr Tony Silipo (Dovercourt ND)  
    \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**  
    Mrs Brenda Elliott (Guelph PC) for Mr Fox (after 11)

**Also taking part / Autres participants et participantes:**  
    Mr Dominic Agostino (Hamilton East / -Est L)

**Clerk / Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 18 December 1996

# Journal des débats (Hansard)

Mercredi 18 décembre 1996

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
Greffière : Donna Bryce



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LEGISLATIVE ASSEMBLY OF ONTARIO  
STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 18 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO  
COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 18 décembre 1996

*The committee met at 1002 in room 228.*

SUBCOMMITTEE REPORT

**The Chair (Mr Floyd Laughren):** The standing committee will come to order. The first order of business is the report of the subcommittee dated December 12. At that subcommittee the official opposition party had no selections, nor did the government. The third party selected for an intended appointee to the Ontario Municipal Board, Mr Ronald J. Emo, and that will be held on January 15, the third day we're back in the new spring session in January.

**Mr Bob Wood (London South):** I move adoption of the subcommittee report.

**The Chair:** You heard the motion. Any comments? All in favour? It's carried. Thank you for that.

INTENDED APPOINTMENTS  
KENNETH KOPROWSKI

Review of intended appointment, selected by third party: Kenneth Koprowski, intended appointee as member, Licence Suspension Appeal Board.

**The Chair:** The second item of business is the half-hour for the intended appointee, Mr Ken Koprowski, to the Licence Suspension Appeal Board. Mr Koprowski, would you take a seat at the table. We welcome you to the committee. It is traditional that you have an opportunity to make any opening remarks, at which point there will be questions from members of the committee.

**Mr Kenneth Koprowski:** Thank you, Mr Chairman and members of this committee. My name is Ken Koprowski and I'm from Fort Frances, Ontario, where I have lived for the last six and a half years with my family. I am a lawyer. I was admitted to the Ontario bar in 1974. I am a member of the Law Society of Upper Canada and of the Canadian Bar Association.

After my call to the bar, I spent 16 years of practice in London, Ontario, both in a law firm environment and, for 12 of those 16 years, as a solo practitioner. During those years I practised in criminal court; highway traffic court; county court, as it then was; the Supreme Court, as it then was; family court; Small Claims Court; and some tribunals. Additionally, I was involved in the practice of real estate, wills, estates and corporate-commercial. You sort of run the gamut when you're practising on your own. In 1990 I left private practice and was hired on as lawyer-executive director of the Rainy River District Community Legal Clinic in Fort Frances, with a satellite office in Atikokan.

In addition to the administrative and supervisory functions as executive director, I also appeared on behalf of our clients in Ontario Court (General Division) and in front of several different tribunals, including the Workers' Compensation Board, the Workers' Compensation Appeals Tribunal, the Social Assistance Review Board, the board of referees and the Criminal Injuries Compensation Board.

For the purposes of this interview, I will assume that you have reviewed my résumé. You will note throughout my career I have attempted to become as involved as I possibly could in whatever community I was living at the time, not only because I happened to like the activity I was involved in but also because I wanted to present a more positive image of lawyers to other people — I felt a burden to do that — so I volunteered on many different committees.

**Mr Peter Kormos (Welland-Thorold):** A formidable task.

**Mr Koprowski:** But nevertheless one that I took on zealously. You have to understand that the executive director is as high as you can go in the clinic system, yet I felt I had abilities and talents that would allow me to do other things. That is why, for one thing, I applied to be a deputy judge of the Small Claims Court. It was simply a question of calling the regional senior judge in Thunder Bay and asking if he could stand to have another deputy judge available. He could, so I was sworn in. Unfortunately, I don't sit as frequently as I would like to. There are two senior deputy judges in Fort Frances and they seem to get first crack at it.

But I still felt — and this is what leads me here today — I had talents and abilities that I could use beyond my position as executive director, and I also wanted to expand my horizons still while maintaining that position. That is why I applied for this position and that is why I am here this morning, so that you can determine whether you feel I am capable of being appointed to this board.

**The Chair:** Thank you, Mr Koprowski. Mr Kormos had to step out to make a phone call. He'd originally thought he was going to go first.

**Mr Peter L. Preston (Brant-Haldimand):** I had a big comment to make about lawyers, but he's gone.

**Mr Rick Bartolucci (Sudbury):** He'll be back.

**Mr Preston:** No, I'll leave it.

**The Chair:** There are other lawyers on the committee.

**Mr Preston:** Yes, I realize that.

**The Chair:** Don't be restrained. Any questions?

**Mr Bob Wood:** We will reserve our time, Mr Chairman.

**The Chair:** Okay, thank you for that.



**Mr Bartolucci:** Welcome, Mr Koprowski. Did you grow up in southern or southwestern Ontario or in northern Ontario?

**Mr Koprowski:** I actually grew up in Wallaceburg in southwestern Ontario. I lived all my life in Wallaceburg until I went to university in London.

**Mr Bartolucci:** A lawyer who moves to the north can't be all that bad, and that's certainly a compliment. And you're staying there. Are you enjoying Fort Frances?

**Mr Koprowski:** Very much so, sir. Were it not for the fact that my wife is a doctor and is totally overworked, it would be a tremendously idyllic situation.

**Mr Bartolucci:** Your wife should be here with you. We could be asking her some excellent questions as well, but we won't.

I have no doubt that you'd be an excellent appointee to the board, so I'm not even going to ask you very many questions about that. I have maybe one or two questions. The information package you received, did you enjoy the video?

**Mr Koprowski:** I didn't see it, sir.

**Mr Bartolucci:** You didn't watch it?

**Mr Koprowski:** I didn't have time. Our service up in Fort Frances for courier is not as good as it is down here and I didn't even have time to view that.

**Mr Bartolucci:** It's not much anyway, so don't worry about it. I haven't been able to see them either, to be perfectly honest. We haven't seen any of them. There's only one member of the committee who's been able to see them.

There are some new changes, obviously, to the over-80 drivers. That's going to impact on your appeal board and you as a board member. That's a delicate balance, obviously. How do you view the changes? Do you see the changes as being positive?

**Mr Koprowski:** There are several changes in the Road Safety Act, 1996. That was one of the things I requested be faxed to me, because I didn't have a copy of it. I was able to review it, albeit rather quickly. Overall, I think the changes are positive. I'm thinking specifically now of the 90-day licence suspension. I don't like the idea of people driving and drinking. Overall, I think they're good. Quite frankly, I'm somewhat concerned as to whether some provisions may stand up to a charter challenge, but I think the long-term goal is very positive and certainly I would support that, subject to whatever the courts may have to say about the charter vis-à-vis the new amendments.

**Mr Bartolucci:** Let's go back to the over-80 drivers because I think that's going to be a very dicey thing for members of the appeal board. You're going to have people here who've had so many years of driving, and although I see the changes as being very good, to be perfectly honest with you, there is still going to be that opportunity when the 80-year-old is not going to be able to accept the fact that he or she will no longer be able to drive. How do you weigh the material as a board member? How would you? You're an experienced lawyer, a very competent individual, obviously. How do you weigh that?

**Mr Koprowski:** First of all, evidence is the key. You have to have evidence on which to make a decision.

There have to be sufficient facts to support any decision you make, and sufficient evidence, usually medical evidence in a case like that, to support the facts.

Driving in this province, any province, is a privilege. It is by no means a right that is ingrained in the Charter of Rights, and any privileges can be removed. When you talk about driving, driving is no longer a luxury, it's an absolute necessity these days, especially in the north when there are such great distances, but one has to weigh whether or not a privilege can be removed if it's for the betterment or maintenance of the public safety. That's always a delicate balance.

1010

One can't give an answer ahead of time that will fit every single situation where a licence may be suspended for an over-80 driver. You have to look at the facts individually in each case. If there's medical evidence, if there's evidence of convictions or improper driving over a period of time, and enough of them, it may be that that person's driving privilege has to be suspended. What is worse, allowing one person to continue to drive or exposing more people to injury or worse because you did?

I think what has to be done, the bottom line, is that you look at all the evidence and see if there are problems with the police, if there are problems medically. Then sometimes they just have to accept that fact. Many of my clients had to accept a judge's decision even though they didn't like it, but that's the way it was and they had to live with that. Assuming the facts support it, then sometimes you just have to bite the bullet and say you can't drive.

**Mr Bartolucci:** Thank you very much for the answer. It's an excellent answer as far as I'm concerned.

Let's go to the 90-day suspension. I too agree that it's very serious to drink and drive, there's absolutely no question about that, but there are other infractions that happen almost on a daily basis, I'm thinking, especially down here — we see it in the north but not as frequently because the road system doesn't allow us to do it — and that's reckless drivers. If you spend any time at all down here, I certainly don't think these people follow all the road safety rules. Do you think reckless driving should be a cause for automatic suspension as well?

**Mr Koprowski:** It depends on what you mean by reckless driving. Again, you have to look at the facts of each case, and that again depends on the legislation involved, because you have not only the Highway Traffic Act but you've got the Criminal Code provisions dealing with those things too. Those provisions do permit a suspension of a driver's licence upon conviction.

I know we're not talking here about a suspension on a conviction, I know we're talking about a suspension beforehand, but reckless driving is going to be more a question of evidence than whether or not someone has blown over on a breathalyser. There is something concrete in a breathalyser where you see the fail or pass reading. There's something concrete. Reckless driving I consider to be more of a judgement call. Was he doing it? Well, you ask five different lawyers and you're going to get five different answers, maybe 10 different answers, I don't know. But when you see a reading that says "pass" or "fail," or in our particular case "fail," then



there's something concrete that you can rely on in making that suspension decision. So there is something more concrete in that than the concept of reckless driving. What may be reckless driving to one person may be just normal driving in city circumstances to someone else. What we might consider to be reckless on the road from Fort Frances to Thunder Bay may be the norm here in Toronto. But a fail is the same in Fort Frances as it is here in Toronto. Therefore, you have something more concrete.

So the answer to your question is, if the circumstances can be shown — and that's the problem with reckless driving — then sure, suspend them, but you're going to have more problems with doing that than having something concrete like a fail reading.

**Mr Bartolucci:** When I'm talking about reckless driving, I'm talking about passing on the right, which is very dangerous, or exceeding the speed limit significantly. I think all those are causes for reckless driving, because they truly endanger the lives of others as well as oneself. I guess that's my interpretation of reckless driving.

You show from your résumé a great involvement in community service. No one will challenge that. Why did you decide upon the licence suspension board? Any particular reason?

**Mr Koprowski:** Yes, sir. It was one that I was told was taking applications and so I thought I might as well.

**Mr Bartolucci:** I have no other questions. I wish Peter was coming back because I think he wanted to ask a few.

**The Chair:** I think he wanted to ask — I'm only guessing. How did you hear about the opening, that your application would be given serious consideration?

**Mr Koprowski:** I was told about the opening. I was given no indication as to whether the application would be given serious consideration. It was just suggested to me: "If you want to do something like that, apply," but there was nothing to indicate the chances of success in that. I was told by a friend of mine in Fort Frances that applications were being taken and if I was interested, as I was for the deputy judge position, because this friend of mine knew my desires that way too — I said, "Fine, I'll do that." I asked for the terms of reference for the Licence Suspension Appeal Board, what its jurisdiction was, what it had to do, before I applied, because I thought if it was something I might not be interested in, I wouldn't even bother doing it. But once I received that, I sent in my application to Toronto along with my résumé. Really, I didn't know what the chances were of it even being accepted. I was quite surprised when I received a call.

**The Chair:** Government members, any questions?

**Mr Bob Wood:** We'll waive our time.

**Mr Jack Carroll (Chatham-Kent):** I wouldn't mind asking, since Mr Koprowski is originally from Wallaceburg, which happens to be in my riding — I welcome

you here this morning — for your opinion on something. The 90-day administrative licence suspension, do you see it having any impact on the number of people who are charged with impaired driving pleading guilty as opposed to fighting the charge, since the two terms could run concurrent if in fact somebody pleaded guilty? Do you see it having any impact?

**Mr Koprowski:** By the time an impaired driving charge gets to court, the 90-day period will have gone, will have expired. I don't think being charged with an impaired driving charge would really affect a person's approach to the charge because the impaired driving charge covers a far heavier penalty. When you compare that with the 90-day suspension, the 90-day suspension is relatively short compared to what could happen on an impaired driving conviction. I don't think the 90-day suspension will affect how people approach whether they defend or plead guilty to impaired driving charges.

**Mr Carroll:** Even though they could end up with a 15-month licence suspension if they had the 90 days, plus they were found guilty of impaired.

**Mr Koprowski:** That's true, but you see my point is I think they will be more willing to contest an impaired driving charge, were that to be the case. They're doing that even now. Because an impaired driving conviction can result in such a long suspension, a minimum one year, they're doing that even now. I don't think that will change. Besides, if you get an impaired driving conviction, you're not talking just a licence suspension, you're talking increased insurance premiums and all sorts of other repercussions. So there would still be the incentive to defend an impaired driving charge even over and above the 90-day suspension period.

**The Chair:** No other questions? Mr Koprowski, thank you for coming before the committee and for answering the questions put to you. We appreciate it. Good luck.

**Mr Koprowski:** Thank you, sir. Shall I leave now?

**The Chair:** You can stay. We'll be dealing with whether or not the committee agrees on your appointment, so you're free to stay. Why don't you?

**Mr Koprowski:** Yes. Thank you very much.

**The Chair:** We're ready to deal with concurrence.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Koprowski.

**The Chair:** Any debate? Comment? If not, ready for the question? All those in favour of Mr Koprowski's appointment? It's unanimous. Mr Koprowski, you've obviously impressed the committee.

I thank members of the committee. That completes our business. The next scheduled meeting is January 15.

Members of the committee, I'll see again in the next couple of days in the House, but for people whom I won't see again, people from the secretariat, I wish them a happy season. Thank you all very much for your cooperation. We are adjourned.

*The committee adjourned at 1020.*









## CONTENTS

Wednesday 18 December 1996

<b>Subcommittee report</b> .....	A-569
<b>Intended appointments</b> .....	A-569
Mr Kenneth Koprowski	

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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Mr Bruce Crozier (Essex South / -Sud L)  
    \*Mr Ed Doyle (Wentworth East / -Est PC)  
\*Mr Douglas B. Ford (Etobicoke-Humber PC)  
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\*Mr Peter L. Preston (Brant-Haldimand PC)  
Mr Tony Silipo (Dovercourt ND)  
    \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

**Substitutions present / Membres remplaçants présents:**

Mr Jack Carroll (Chatham-Kent PC) for Mr Bert Johnson

**Clerk / Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

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First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 15 January 1997

# Journal des débats (Hansard)

Mercredi 15 janvier 1997

**Standing committee on  
government agencies**

**Comité permanent des  
organismes gouvernementaux**

Intended appointments

Nominations prévues



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 15 January 1997

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 15 janvier 1997

*The committee met at 1004 in room 228.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr Floyd Laughren):** The standing committee will come to order. The first item of business is the report of the subcommittee dated December 19, on which there were two appointments for review: from the official opposition party, for the Sudbury District Housing Authority, Mr Armand G. Tessier; and from the third party, for the Licence Suspension Appeal Board, Mr Ron Conway, both to be dealt with today. The other subcommittee report, dated January 9, is for Carol Marie Pinke, also to the Licence Suspension Appeal Board, to be heard on January 22; and Robert Paterson to the Lakehead University Foundation board of governors, who was originally scheduled to appear on January 22 but cannot.

**Mr Peter Kormos (Welland-Thorold):** Chair, if I may, on behalf of Mr Silipo I've been instructed to request a 14-day extension.

**The Chair:** All right; that is done. Thank you for that.

A motion to accept the two subcommittee reports would certainly be in order.

**Mr Bob Wood (London South):** I move adoption of the subcommittee reports of December 19, 1996, and January 9, 1997.

**The Chair:** Thank you for that. You've heard the motion. All in favour? Opposed? It's carried.

## INTENDED APPOINTMENTS

## RONALD EMO

Review of intended appointment, selected by third party: Ronald Emo, intended appointee as member, Ontario Municipal Board.

**The Chair:** We can begin the review of intended appointments. The first person is Mr Ronald Emo. Mr Emo, we appreciate your presence here this morning. It's customary that you be given an opportunity to make any opening remarks you might want to make and that we then get into the questions.

**Mr Ronald Emo:** Thank you. Mr Chairman, honourable committee members, I appear before you today to respond to questions you may have of my nomination to be a member of the Ontario Municipal Board. I assume you have a copy of my résumé. Permit me to add a little bit of flesh to those bones.

My exposure to the Ontario Municipal Board began back in the late 1960s and early 1970s when, as an Ontario land surveyor and occasionally as the then secretary of the Collingwood planning board, I would appear as an expert witness in front of the board. I was

impressed then, and continue to be impressed, by the calibre of the men and women who serve on it.

To improve my qualifications as an expert witness, I took university courses on a part-time basis, resulting in a degree in geography from Wilfrid Laurier. I then took the courses and passed the exams required by the appraisal institute for their certified residential appraiser designation, but unfortunately did not receive this, as by 1980 I had been elected mayor of Collingwood and never got around to completing the demo report, which was a mandatory requirement. In 1994, I also took the introductory alternative dispute resolution course offered by Windsor law school.

My eight years as mayor of Collingwood in the booming 1980s gave me another perspective on the board's activities as an approving and supportive agency in day-to-day operations of a municipality. My deputy clerk and I even appeared in front of the board in a vain attempt to change the education factor used to calculate the town's portion of the school levy. Through my career as mayor, I was impressed with the courtesy, interest and objectiveness displayed by the board in hearing appeals to a wide range of municipal issues.

Around 1990 I saw an item in the *Globe* and I became aware that appointments were being made to the OMB for a three-year period. I submitted by résumé to Mr John Kruger, who was then the chair. His response of March 1991 indicated that he felt I had the qualifications and experience to be a member and that he was passing my application on to the Premier's office. Nothing came of this application. In 1994 I resubmitted my application to Mrs Helen Cooper, who was then the chair of the board. She also passed my application on to the public appointments office of the day. I followed up with a meeting with Mrs Cooper in September 1995, at which time she kindly explained a number of details of the role and function of board members. In preparation for today's hearing, I met last week with Mr Colbourne, the current chair, who has reviewed the training and role that will be expected of me should the committee approve my nomination.

As you can see from my résumé, I have chaired virtually every local municipal committee or agency. I spent over eight years as chair of our area waste management master plan study, which included an extensive public participation program. Nevertheless, when we announced candidate sites, I had to chair some pretty wild public meetings. I have also chaired a number of formal hearings under the police act and at the hospital.

I want to assure the committee that I would not be seeking this appointment if I did not feel I could do the job.



**The Chair:** Thank you, Mr Emo. Are there any questions or comments from the government members?

**Mr Bob Wood:** We'll reserve our time, Mr Chairman.

**The Chair:** Okay.

**Mr Bruce Crozier (Essex South):** Good morning, sir. From the information we've been given, you certainly have a great deal of experience in areas related to the Ontario Municipal Board. As a past mayor, no doubt you've had some experience with the OMB in the past.

I was also mayor of my home town of Leamington, and I want to ask your opinion relative to the decision process of the OMB vis-à-vis local decisions; in other words, when you get involved when something has to be resolved at the local level. I wonder if you can give us some idea of how you would approach this position when often the decisions made have an impact on the local community and it's seen as someone from outside the community making decisions that affect local people. Would you have a tendency to be open to that concern about how your decision is going to affect the local municipality, as opposed to simply going by a rigid set of rules? How flexible might you be, if you could describe that?

1010

**Mr Emo:** The board has had a long history of impartiality and is well respected, at least by members of my community, and I think it is a forum in which an individual, a group of citizens or a corporation has a right to be heard again, beyond a decision made by the local council. I hope I would be able to render impartial decisions based upon the facts of the hearing, the statutes under which we're involved, and also some sense of fairness for the individuals involved, because everything isn't black and white in our society, especially in planning.

**Mr Crozier:** Oftentimes when people appear before the OMB, I'm sure it's helpful for them to be represented by experts, but in many instances citizens who have a genuine concern about the issue before the board can't afford to hire the experts that maybe a proponent for some decision can, or maybe even the municipality can hire experts and have the funds to do that, but local citizens don't. Would you, again, treat this with fairness and understanding if I were appearing before the board, but not with expert advice, and take into consideration that I'm representing my own position in a non-expert way?

**Mr Emo:** In any hearing I have attended over the last 30-odd years, I've seen the chair of the hearing bend over backwards, if the person was unsophisticated or didn't understand the rules, to explain how it was and maybe take a slightly harder line if it was legal counsel, who did know the rules. I felt one of the attractions was that this was certainly a body that could be fair to the most unsophisticated or the most sophisticated appellant.

**Mr Crozier:** Good. I appreciate that.

**Mr Michael Gravelle (Port Arthur):** Good morning, Mr Emo. Particularly in the past — I remember that back in the 1980s there was an incredibly long process before decisions were rendered, for a variety of reasons. Some actions have been taken by both the previous government and this government to change things so that the decision-making process is not as long, but I understand it

frequently still takes between six and eight months for decisions to be made by the board. I presume you're aware of that; probably, with your background, you've seen the process itself. There may be some who would argue that the board itself was sometimes used as a block to things happening. You're obviously conscious of the time frame, and I presume you're conscious of making decisions, not so much based on making them quickly because it helps but that people do appreciate a response.

Do you have any ideas or any thoughts on what needs to further happen to shorten the time frame? Also, do you think it is valid to say it is taking too long? Is it correct that there should be an even shorter response time?

**Mr Emo:** I read the Hansard of when Mr Colbourne appeared before this committee for his confirmation last summer. He's the chair and has been there since 1968, and I thought his points were quite cogent, that they have improved and do a number of things: pre-trial hearings, mediation, all those things. He also suggested that on simple dispute situations, where there wasn't any hope of a resolution, it come on for a hearing right away. From what I've read and what I understand, the board is moving to overcome that — justice delayed is justice denied — yet there are some complex things going on that take a long time. I think that under the board's present chairmanship they're moving the right way and will do the best thing they can.

**The Chair:** Thank you, Mr Gravelle. Mr Kormos?

**Mr Kormos:** I'll reserve my time, Chair. It's called a standoff.

**The Chair:** Okay. Are there any questions from members of the government side?

**Mr Bob Wood:** We'll leave our time.

**The Chair:** Okay. That concludes the —

**Mr Kormos:** No, I reserved mine.

**The Chair:** I'm sorry. Any time you wish, then.

**Mr Kormos:** Thank you. First of all, Mr Emo, you're obviously well qualified; there are no two ways about it. The résumé illustrates that. The fact that you would pursue the ADR course as a mature student — it's an interesting course. There's one in the Bahamas this February. I looked at the curriculum. Unfortunately, we're probably going to be here, but I thought the prospect of the University of Windsor's ADR course in the Bahamas — you didn't take the one in the Bahamas, did you?

**Mr Emo:** I think those fellows who are running it are making a career out of running those courses.

**Mr Kormos:** Yes, they're doing fine. You've obviously got the endorsement, as you tell us, of former chair Kruger, who again I've had a great deal of experience with, and Ms Cooper, who was appointed by the last government. I wasn't sitting on this committee during the term of the last government so I don't know how many OMB appointments there were. There may have been a number; I don't know. How did you manage to break through this glass wall?

**Mr Emo:** I guess I was lucky. I had asked for and got support. I think that lobbying is still considered a fair game in this province.

**Mr Kormos:** No quarrel. That's what I wanted to know. I want to know how to do it — help. How did you go about that?



**Mr Emo:** My local member was helpful and supportive.

**Mr Kormos:** Who is that?

**Mr Emo:** Jim Wilson.

**Mr Kormos:** In what respect?

**Mr Emo:** He made sure that my résumé was received by the committee and whatever. I have no idea how many résumés are received and how the process operates, but eventually I was interviewed by a committee last November and I guess that committee winnowed it down. In the latter part of November I guess certain recommendations went to cabinet, and with the three times I was finally lucky and was —

**Mr Kormos:** I'm not familiar with this. What committee was that?

**Mr Emo:** There's an interview committee composed of the public appointments secretariat director, someone from the appropriate ministry — I guess Municipal Affairs — and also the chairman of the board, Mr Colbourne.

**Mr Kormos:** Okay, but what happened? Obviously that's again a crucial part of the process in terms of getting into the cabinet decision-making forum and being approved. How do you get to that committee?

**Mr Emo:** I don't know.

**Mr Kormos:** Mr Wilson facilitated that?

**Mr Emo:** He was very supportive, yes.

**Mr Kormos:** Yes, but do you know whether he called people or wrote correspondence? Do you know how he went about it?

**Mr Emo:** I don't know.

**Mr Kormos:** Did he indicate to you that he was going about it?

**Mr Emo:** He indicated that he felt I had good credentials and that he would support my candidacy.

**Mr Kormos:** Did he indicate what he was prepared to do, though, to help get you before this committee, which included the chair of the OMB?

**Mr Emo:** No.

**Mr Kormos:** Okay. Once again, as I say, you're qualified; there are no two ways about it. I've got a note here that you're identified as being a \$300 contributor to the Conservatives in Simcoe West. Is that the same person as you? Are you the same Ronald Emo?

**Mr Emo:** Yes. I've been a member of the Conservative Party since the mid-1960s.

**Mr Kormos:** Okay. Mr Wilson clearly knows you then, if you've been a member of the party. That's in his riding?

**Mr Emo:** Yes.

**Mr Kormos:** Mr Wilson was here between 1990 and 1995. Did he support your nomination in that time frame?

**Mr Emo:** Yes, he was aware of my application.

**Mr Kormos:** Did he write any letters on your behalf then?

**Mr Emo:** I presume he did what he could.

**Mr Kormos:** But you don't know what he did; you're not aware of anything that he did?

**Mr Emo:** Well, I never got summoned for an interview in that period.

**Mr Kormos:** But you're not aware of what he did, if anything?

**Mr Emo:** No.

**Mr Kormos:** Okay. Thank you, sir.

**The Chair:** Any other questions? Anyone from the government side, any questions? Okay, that concludes the interview with Mr Emo. Mr Emo, thank you very much for coming before the committee and providing answers. We appreciate it.

**Mr Emo:** Thank you, committee.

1020

## RONALD CONWAY

Review of intended appointment, selected by third party: Ronald Conway, intended appointee as member, Licence Suspension Appeal Board.

**The Chair:** The next intended appointment is Mr Ronald Conway to the Licence Suspension Appeal Board. Mr Conway, as you know, there's an opportunity for you to make any opening remarks you might care to make.

**Mr Ronald Conway:** Good morning, Mr Chairman and members of the committee. May I take this opportunity to thank you for allowing me to appear before you today. My name is Ronald Conway. I am a resident of the township of East Hawkesbury, county of Prescott. As can be seen from my CV, which I'm sure you have, I am married and the father of three daughters.

During my working career, I spent 32 years working for Bell Canada, 22 of those years at various levels of management within the corporation. I retired from Bell in January 1994. I have spent the past three years of my retirement managing a feed co-op in the township, so we've stepped from the frying pan into the fire.

During the past number of years I have become quite involved in our community. I have served on our township council for the past 11 years as deputy reeve. I have served on various committees within the township as well as with our neighbouring communities, such pastimes as being chair of the Hawkesbury and area recycling committee. I have sat on the waste management board for the past 10 years. I have also sat as the chair of my parish council for five years. I'm a former member of the Hawkesbury Chamber of Commerce. I am a member of the Optimists. Coming from eastern Ontario, I'm also fluently bilingual.

My reason for applying for this appointment to the Licence Suspension Appeal Board comes basically from my interest in safety and in highway safety, driving safety. I acquired this while I worked for Bell. As you probably know, they have a very extensive safe driving program, and this probably rubbed off on me.

I have served my community in the past, and I believe that by serving on this board I would be able to continue serving it in the future in another capacity. I thank you.

**The Chair:** Thank you, Mr Conway. Any questions from members of the government?

**Mr Bob Wood:** We'll reserve our time.

**The Chair:** Okay. Thank you for that.

**Mr Crozier:** Good morning, sir. Welcome to the committee. I'd first like to talk about the subject of truckers and road safety. Perhaps you're aware that there recently has been a great deal of attention paid in this area by the government, some new initiatives by the



government with regard to trucks in particular when it comes to road safety.

As part of the attempt to minimize the risks on our roads from unsafe trucks, it is now in the legislation that truck drivers can have their licence suspended if they are driving an unsafe vehicle. How do you feel about that?

**Mr Conway:** At the moment there is no legislation passed, so I can't really comment on what's going to happen. All I can comment on is what I've read in the newspapers. I understand that the trucking industry has unsafe trucks on the road, but the legislation hasn't been passed yet, and what constitutes a safe vehicle has not been passed either.

**Mr Crozier:** Perhaps this can be clarified. The information I have is that the bill received third reading in December. Perhaps it hasn't received royal assent yet. Has it?

**Mr Andrew McNaught:** There's one, a bill directed at drinking and driving. There's a second bill in the works, I understand, directed at a similar automatic suspension for truckers' licences.

**Mr Crozier:** Okay. But I still would like to know, if this legislation is carried forward and becomes law, how you feel about the possibility, at least at this point, that the registrar of motor vehicles will be given the authority to cancel or suspend a commercial vehicle operator's registration certificate when he or she has reason to believe, having regard to the safety record of the licence holder and any other information the registrar may have, that their licence may be suspended. Do you think this would be a good move?

**Mr Conway:** I know it would be a good move. At the moment, we have vehicles on the road ourselves, in our co-op, with CVORs. I know if you lose a CVOR, your truck is off the road for a while. You can't operate your truck without a CVOR. Any legislation that will create an atmosphere among companies to wish to maintain their trucks at a higher standard is positive.

**Mr Crozier:** This is where I'd like to get some feeling as to how the general public may feel about it, though, that if a truck driver is found to be driving an unsafe vehicle, that truck driver may be fined and/or have their licence suspended. Considering the possibility that some drivers may be put in a very difficult position where they will be told to take a load, and if they don't they obviously lose some income over it, or it may jeopardize future opportunity to earn income because they're not cooperative with some trucking company owner who maybe doesn't view safety the same as we do, do you anticipate any difficulty in that area?

**Mr Conway:** I could see a problem if the driver was coerced to drive that vehicle. I think that should also fall under the labour laws of the province, though, if you're forced to do an unsafe act.

**Mr Crozier:** I guess what I'm trying to emphasize — and we had other legislation not too long ago that stores can now stay open on Boxing Day. I think there was labour legislation with regard to that, that employees cannot be disciplined or penalized because they refuse to work on a holiday. I guess it would be reasonable to assume the law may be there to protect employees, but the law can't get inside the heads of some people who

say, "Regardless of what the law is, I somehow can still jeopardize your employment and/or ability to earn an income down the road just because I'm prejudiced against you." I'm just trying to raise that difficulty and whether you have a concern about that.

**Mr Conway:** To get back to the truck driver, the truck driver has the ultimate authority today, whether that truck leaves the yard or not. It's his responsibility to indicate whether the truck is safe.

**Mr Crozier:** And that should be paramount regardless of what may happen?

**Mr Conway:** That's there today. He has two sheets to fill out. He has one sheet to fill out on his log when he leaves that yard, and one sheet that he fills out is his truck safety sheet. If he is pulled over without the sheet made, he is responsible for ensuring that his truck safety check is made. That's in force today.

**Mr Crozier:** I want to touch for a moment on older drivers and the changes that have been made with regard to the testing of drivers over the age of 80. These drivers now, rather than having to have a road test every year, will be reviewed every two years and will be required to actually take a road test only if the ministry inspector feels they should, after having some group education and provided they have the apparent physical skills. Do you think that with a group session every two years, and a vision test and a knowledge test in conjunction with that, it then should be left strictly to a Ministry of Transportation instructor to decide whether someone should take a driver's test? In other words, if an appeal were made to you because someone's licence had been suspended, do you think that a driving test, an actual road test, should still be included in it or that this new change will be satisfactory?

1030

**Mr Conway:** To be quite honest with you, I can't comment on that. I've not studied that.

**Mr Crozier:** Perhaps we'd need some experience in it, something like that.

**Mr Conway:** Yes, I would. I believe that within the board there are medical staff, though, but I am not familiar with that part of the operation of the board.

**The Chair:** Mr Kormos?

**Mr Kormos:** I'll reserve my time, Chair.

**Mr Bob Wood:** We'll reserve ours.

**The Chair:** You reserve yours as well. Back to you, Mr Kormos.

**Mr Kormos:** I continue to reserve mine, Chair.

**The Chair:** Okay, and you?

**Mr Bob Wood:** We'll wait as long as he wants to wait.

**Mr Kormos:** Mr Chair, if I may, I've witnessed this tendency of the government to reserve its time. I'm not sure, but I think I know what they're doing. I appreciate that they want an opportunity to, let's say, rehabilitate one of their proposed appointees after whatever questioning occurs by either the Liberal caucus or the New Democratic caucus. I understand that. I would probably try, if I were in their position, to pursue the very same objective. I presume that's part of their responsibilities. But let's understand that the people brought before us here are the government's appointees, and I think the



Chair has to make a judgement call. I'll live with whatever that judgement call is.

Obviously the Chair will note that I've generated a little bit of a standoff here so that the Chair is put in the I don't think all that difficult position of making a call: You're either going to permit people to reserve time or not. I can make any number of suggestions but I want the Chair to be cognizant, please, that these are government appointees; they're not appointees by the official opposition or by the third party.

We've got to understand that the purpose of this committee is to make inquiries to determine suitability, and if you wanted to use a courtroom analogy, it's as if these were people they're calling as their witnesses. I appreciate that all three parties have a chance to choose people, but it's not as if they're being called — the third party isn't presenting any of these people for appointment.

I leave that comment with you as well, Chair. I'll live with your direction, sir.

**The Chair:** I appreciate that, and there's nothing wrong with your doing that. I would simply, at this point, go back to where we started and give the government members the opportunity to ask any questions they might have. If at this point on the second round they choose not to, that will be the end of it, and if the Liberals or the New Democrats had reserved any time, we'll go back to give them their final go at it as well. I think that way it's fair to everyone.

**Mr Kormos:** Thank you, Chair.

**Mr Bob Wood:** If we're going to go through this, Mr Chair, I would ask you to alternate. We've been starting every time. If we're going to go to this, and I don't want to spend a lot of time on it, I would ask you to alternate so we get called first the first time, the official opposition gets called first the second time and the third party gets called first the third time.

**The Chair:** Right. As a matter of fact, that's the way it was done before I took over the chair, I understand. I did it this way, simply arbitrarily, because the time of the person who's appearing is counted to the government.

**Mr Bob Wood:** We thought it was quite fair. On the other hand, if others don't think so, as long as you are prepared to follow that procedure we will waive our time and hope this matter may proceed.

**The Chair:** All right. We've waived the time.

**Mr Kormos:** Quite frankly, I have no quarrel with that proposition.

**The Chair:** Okay, let's do that, then. Do you have any questions of Mr Conway?

**Mr Kormos:** A few. Mr Conway, I don't have enough information here from the appointments secretariat to indicate whether this — there have been several applications for appointment to this panel over the last few months. Was this a position that was advertised? Chair, do you know? Was this a position that was advertised in the paper?

*Interjection.*

**Mr Conway:** Myself, personally? No, I didn't see it in the paper. I heard of the job through people I know in the ministry and I applied for the job through the ministry. My CV was sent on to the Ministry of Transportation and

I was contacted by the Ministry of Transportation to see if I'd accept the job. They also wanted to check my background, because they want to know if you've had any criminal, you know — and I have none.

**Mr Kormos:** I'm sure you're clean. Not all of us can make that claim.

**Mr Conway:** I know, but I can this morning.

**Mr Kormos:** Was this the local ministry? I'm wondering why this wasn't advertised. I just don't know why it wasn't advertised. Was that was the local ministry people?

**Mr Conway:** People I know in a neighbouring riding advised me that there were positions open on this particular board, and like I stated earlier, driving is of particular interest to me. There are lots of other appointments available, but this particular appointment is to work in Ottawa for maybe one day a month, not on trucks, but basically to work on the 90-day suspension. That's what it's about.

**Mr Kormos:** Your bilingualism obviously is a strong, strong asset.

**Mr Conway:** I'm bilingual. That's right. I was brought up in a bilingual area.

**Mr Kormos:** So it was Ministry of Transportation staff who told you about this?

**Mr Conway:** Who called me?

**Mr Kormos:** Yes.

**Mr Conway:** It was a lady from the Ministry of Transportation, probably in the appointments part of the ministry, who called me to ask me if I would sit on this board, after she received my CV, though.

**Mr Kormos:** Okay. From the appointments secretariat?

**Mr Conway:** Yes.

**Mr Kormos:** So you had written to the appointments secretariat?

**Mr Conway:** I had got my CV to them through people I know in the ministry.

**Mr Kormos:** What I'm interested in is, are these people in the ministry from your neck of the woods or are they from Toronto?

**Mr Conway:** From S-D-G, from Glengarry. I submitted my CV through them.

**Mr Kormos:** They were local ministry staff who told you that this position was available?

**Mr Conway:** That's right.

**Mr Kormos:** As a result of that, you wrote in a CV and an application for the position to the Ministry of Transportation.

**Mr Conway:** That's right.

**Mr Kormos:** You obviously knew these people.

**Mr Conway:** I did. I do.

**Mr Kormos:** You had expressed to them earlier an interest in serving on this board?

**Mr Conway:** I hadn't mentioned any boards until I knew that this particular position on this board was available.

**Mr Kormos:** But the friends from the Ministry of Transportation —

**Mr Conway:** I know nobody in the Ministry of Transportation.

**Mr Kormos:** This is where I'm unclear, because you said it was people from the Ministry of Transportation in the adjoining riding.



**Mr Conway:** No, you've got me wrong there. I gave my CV to the member in S-D-G, some people I know in S-D-G, and I think they must have submitted it to the Ministry of Transportation.

**Mr Kormos:** Whom did you give your CV to?

**Mr Conway:** To the member's office in S-D-G, to Mr Villeneuve's office.

**Mr Kormos:** Noble Villeneuve. Okay. No problem.

**Mr Conway:** It wasn't to Noble himself; it was to other people.

**Mr Kormos:** But to his office.

**Mr Conway:** Yes.

**Mr Kormos:** That was before you became aware that this position was open?

**Mr Conway:** No.

**Mr Kormos:** It was after you became aware?

**Mr Conway:** It was after I became aware, that's right.

**Mr Kormos:** You became aware of this opening as a result of what?

**Mr Conway:** Of conversations with people from his office.

**Mr Kormos:** So you know people in Noble's office?

**Mr Conway:** Oh, I certainly do.

**Mr Kormos:** Fair enough. They told you that a position was available?

**Mr Conway:** That's right.

**Mr Kormos:** And they told you that you should submit an application —

**Mr Conway:** A CV. That's right.

**Mr Kormos:** — and that Noble would do what he could to help you get a position?

**Mr Conway:** No, they never said anything about that. They just said they would submit my CV to the Ministry of Transportation in regard to this position on the Licence Suspension Appeal Board.

**Mr Kormos:** Are these people to whom you had indicated earlier an eagerness to serve on the Licence Suspension Appeal Board in Noble's office?

**Mr Conway:** Would you repeat that, please?

**Mr Kormos:** The people who called you from Noble's office, had you indicated to them at some point during your association with them that you were interested in serving on the License Suspension Appeal Board?

**Mr Conway:** I never indicated anything to them until I found that the position was available on the Licence Suspension Appeal Board. Then I submitted my CV to them. I did not submit my CV to these people until I became aware, through them, that this position on the License Suspension Appeal Board was available.

1040

**Mr Kormos:** I'm asking that, Chair, because I'm wondering why they would have called you when a position on the Licence Suspension Appeal Board came up.

**Mr Conway:** They didn't call me. We just happened to be talking, and through conversation they told me this position was available. They were looking for people. After the act was passed last fall they were looking to appoint 34 people to this board.

**Mr Kormos:** Had you ever applied for a position with a board, agency or commission before?

**Mr Conway:** Never.

**Mr Kormos:** Why not?

**Mr Conway:** I never had the time to serve on one.

**Mr Kormos:** And now you're retired from Bell, so now you have the time.

**Mr Conway:** I have time, yes.

**Mr Kormos:** I appreciate I've got a Ronald E. Conway who donated \$200 to the Conservative Party in the last election.

**Mr Conway:** Probably, yes, maybe more.

**Mr Kormos:** Are you that Ronald Conway?

**Mr Conway:** That's me.

**Mr Kormos:** Or maybe more. What riding are you in?

**Mr Conway:** Prescott and Russell, a Liberal riding.

**Mr Kormos:** Why wouldn't you have talked to your member in your riding?

**Mr Conway:** I know him well too, but I know the member in S-D-G better.

**Mr Kormos:** Okay. Did you ask your member to write a letter of reference to assist you in seeking this appointment?

**Mr Conway:** No, because I'm sure he's looking after his own people.

**Mr Kormos:** But you live in his riding.

**Mr Conway:** I say I'm sure he's looking after his own people.

**Mr Kormos:** You mean people who belong to his political party?

**Mr Conway:** Who belong to his political party.

**Mr Kormos:** So you went to people who belong to your political party to look after you?

**Mr Conway:** That's right.

**Interjection:** Can't be any more honest than that.

**Mr Kormos:** God bless.

**The Chair:** Okay, Mr Kormos?

**Mr Kormos:** Sure.

**Mr Conway:** Besides, this is a one-day-a-month job. We're not looking at a fortune.

**Mr Kormos:** One or two days a month.

**Mr Conway:** That's right.

**The Chair:** Mr Conway, that completes the questioning of you. We appreciate your attendance here this morning.

#### ARMAND TESSIER

Review of intended appointment, selected by official opposition party: Armand Tessier, intended appointee as member, Sudbury District Housing Authority.

**The Chair:** The next intended appointment is Mr Armand Tessier. Mr Tessier is here all the way from beautiful downtown Sudbury. Welcome to the committee this morning. As you know, it's not necessary, but feel free to make any opening remarks you might have to the committee.

**Mr Armand Tessier:** I would, please. Mr Chairman and members of the standing committee, my name is Armand Tessier. I'm here to present myself to be a member of the Sudbury District Housing Authority.

I've lived in Sudbury all of my life, except for a few years in Calgary, Alberta. I have been involved in real estate sales, management and development of land — residential, commercial and industrial — for many years,



in one fashion or the other, to this day and I feel the expertise I have gained would be of some help to the authority. My time allows me to stand for this position, and I should be an asset in the decision-making of the housing authority in Sudbury and this great province of Ontario.

**The Chair:** Thank you, Mr Tessier. We go to the official opposition first this time. Are there any questions? Mr Bartolucci, welcome to the committee this morning.

**Mr Rick Bartolucci (Sudbury):** I'm sorry I couldn't make it earlier, Mr Chair. You know how much I love being here to question these witnesses, especially when they're from Sudbury. It's so nice to see Mr Tessier again.

Mr Tessier, this is a standard question I ask everybody from Sudbury: Do you have any problems with hearing?

**Mr Tessier:** No.

**Mr Bartolucci:** Great, terrific. After you get this appointment, will you leave the city and the country, maybe, to continue your education or explore job opportunities in Europe or Ireland or the British Isles or anything like that?

**Mr Tessier:** No.

**Mr Bartolucci:** We've had some bad history about some of the appointees who have come before us. Your good friend, Ray Poratto, and I know he is your good friend — you remember Ray?

**Mr Tessier:** Yes.

**Mr Bartolucci:** By the way, did Ray encourage you to apply for this position?

**Mr Tessier:** No. Through a friend I heard there might be an opening, and that's the only reason.

**Mr Bartolucci:** Who's the friend?

**Mr Tessier:** Bernie McDowell.

**Mr Bartolucci:** Oh, Bernie. Bernie is the big-time Tory fund-raiser in Sudbury; he's the money man in Sudbury. He's a good man. I taught his children. I like his family very much. He's very, very proud of the fact that he raises money for the Tory party in Sudbury and for Mike Harris in particular. He's pretty proud of the fact that he arranges the annual Mike Harris fund-raiser in Sudbury. You know that, of course.

**Mr Tessier:** Yes.

**Mr Bartolucci:** Have you been there?

**Mr Tessier:** Yes, I've been there.

**Mr Bartolucci:** Do you think it's worth the money you pay for it?

**Mr Tessier:** No.

**Mr Bartolucci:** Good. Do you think he's worth the money you pay for it?

**Mr Tessier:** Absolutely.

**Mr Bartolucci:** I sort of thought you'd say that, Red. I know you're a long-time member of the Sudbury community. You said in your résumé that you've involved yourself in lots of community activities. Maybe you can outline to the committee some of those activities you've taken part in, let's say, in the last five years.

**Mr Tessier:** I just moved back two and a half years ago from Calgary. I was there for 14 years prior to that. I'm involved in real estate sales, and also I've been involved in numerous projects such as health care. In

fact, I built a nursing home a while back. I've had a number of apartments that I have managed, owned and built in Sudbury and area.

**Mr Bartolucci:** You bring up an interesting question about building a nursing home, and I know you were a part of that. What do you think of the government's latest initiative to transfer or download this responsibility to the local municipality, nursing homes being one and social housing being the second one? We're going to define that after, or I'm going to ask you to define it after, but first of all, what do you think of this latest announcement by Janet Ecker, and Al Leach, of course?

**Mr Tessier:** I'm not informed that much, but as long as the care of the people is still there, which I hope it will be, I have no reason to say that they will not carry on.

**Mr Bartolucci:** Do you think there might be some problem with that, when you look at the municipal tax base of Sudbury, as an example?

**Mr Tessier:** There are always problems when there are changes, but sometimes they're for the better. It's to be seen.

**Mr Bartolucci:** Come on, Red, you're a part of the community; you know what's happening in Sudbury. You know how our tax base, our assessment base, is not increasing. You know the impact Voisey Bay is going to have on the community, so come on, let's be real. Do you think this latest transfer, this latest downloading of responsibilities is good for Sudbury?

**Mr Tessier:** I don't think I have enough knowledge to really comment on that at this time.

**Mr Bartolucci:** That's fair. Let's ask for your definition of social housing. What do you think social housing is? Both ministers mentioned social housing yesterday. I'm having trouble with the definition; that's why I'm asking you for help.

**Mr Tessier:** I'm not an academic, as you are.

**Mr Bartolucci:** I'm not an academic when it comes to this government's definition, so what do you think social housing is?

**Mr Tessier:** Social housing is to help the people who are in need, to provide adequate housing at all times, and it has to be met in the best fashion the province can afford.

**Mr Bartolucci:** Do you question why you're even here today, or why there's a request for an appointment to a district housing authority, when in fact district housing authorities will not exist a year from now? It's my understanding that if it's transferred — and follow with me, Red, just to make sure. Armand's nickname is Red, okay?

**Mr Tessier:** I used to have red hair.

**Mr Bartolucci:** Can you follow through with me for a little while? If it is transferred to the area municipality, do you think you'll exist a year from now?

**Mr Tessier:** I have no idea, but I feel I can fulfil something in these times, with what has been going on and had been going on. But for me to answer this at this time, I could not. I'm not familiar enough.

**Mr Bartolucci:** Okay, that's fair too. What about the mandate of a district housing authority? What do you think the mandate of a district housing authority is?



1050

**Mr Tessier:** It's to oversee probably the costs and what not, the different ways of accepting people and whatever. We're not setting the rules; we just follow the rules that are set out by some people.

**Mr Bartolucci:** You just follow the rules; you don't set the rules?

**Mr Tessier:** Yes, and put whatever recommendation, I would think, to your input, what it might be. I don't know at this time. I cannot answer that, really.

**Mr Bartolucci:** You can't. So you don't think your position on the district housing authority is going to allow you the opportunity to formulate policies for the housing authority to operate in Sudbury?

**Mr Tessier:** The thing is that everybody can have an opinion, but we're not the ones who set out the rules. It's the authority in Queen's Park or whatever. We are only there to oversee. That's all we do, I would think.

**Mr Bartolucci:** Then you simply say, "Whatever Queen's Park says I have to carry out as an appointee to the district housing authority."

**Mr Tessier:** The thing is that we are not the governing body in setting up any of the rules; we just follow the rules that are set out for us, I would think.

**Mr Bartolucci:** Red, you have a history in Sudbury of being an independent thinker, you know. That's why Senator Rhéal Bélisle had so much faith in you: because you were an independent thinker. You're saying that this government doesn't want you to use that independence in formulating what's good for Sudbury? That's why it's called the Sudbury District Housing Authority.

**Mr Tessier:** The reason I'm here today is because I have some spare time now and I feel I can give you something. I believe in Sudbury and the province very, very strongly, and the people who live in it.

**Mr Bartolucci:** And you believe strongly in social housing?

**Mr Tessier:** I believe social housing, as far as I'm concerned, is certainly a need that is there, yes.

**Mr Bartolucci:** You would advocate then for those who needed social housing as a member of the district housing authority?

**Mr Tessier:** Yes.

**Mr Bartolucci:** How would you do that?

**Mr Tessier:** It's a very difficult question to answer, because like I say, my mandate is not to rule the thing; I can only put my little personal opinion into it. Right now, at this time while I'm talking to you, they are still operating in the same way, and I can't answer about what will happen later.

**Mr Bartolucci:** You know, Red, Bernie is a good Conservative, and I know your political stripe. That's fine too; I respect that. But I think the people of Sudbury and this committee want people who are independent thinkers, and I want you to use some of that independence when you get there. I want you to use some of that creative thinking you have, so I want you to tell this committee what type of creative thinking you have for the district housing authority in Sudbury.

**Mr Tessier:** Again, my personal view is that I am for the people and will work for the people of the community and the province.

**Mr Bartolucci:** Okay, Red, let's talk a little bit about the district housing authority.

**Mr Bartolucci:** Have you researched the district housing authority at all? Do you know anything about it?

**Mr Tessier:** To some extent, but I am not that —

**Mr Bartolucci:** How many property managers are there?

**Mr Tessier:** I don't know.

**Mr Bartolucci:** How many units are they responsible for?

**Mr Tessier:** I don't know exactly. I can't give you those figures.

**Mr Bartolucci:** Who handles the maintenance?

**Mr Tessier:** I have not done anything of that nature.

**Mr Bartolucci:** Nothing.

**Mr Tessier:** I didn't even know if I was going to be appointed, so consequently I don't know.

**Mr Kormos:** I got the impression when Mr. Bartolucci was asking you questions that you weren't of his political persuasion. It left me suspecting that you might be a New Democrat.

*Interjection.*

**Mr Kormos:** Oh, my suspicions were wrong. That's okay; that's not the point. But I don't know Bernie.

**Mr Bartolucci:** Bernie McDowell.

**Mr Kormos:** I don't know Bernie.

**Mr Bartolucci:** Bernie is Mike Harris's best friend in Sudbury, next to George Lund.

**Mr Kormos:** Who is the fellow here in Toronto who has the barbecues every year who's Jean Chrétien's best friend? What's his name?

**Mr Bartolucci:** Joe Foti. He's a good man.

**Mr Kormos:** Please.

I'm looking at the material the government gives us here. I took a look, and it's the 1995 one, which means it's pretty dated. It looks like there were a lot of members whose terms expired in June 1996, so obviously the government is catching up on getting some people, because there are 11 members, including the chair, on the Sudbury District Housing Authority. But I'm looking at the candidate search process, because this wasn't advertised in the newspaper, unless I'm wrong.

**Mr Tessier:** I don't know, I'm sorry.

**Mr Kormos:** It said that letters seeking candidates were mailed to things like tenants' associations. Do you know whether or not a tenants' association —

**Mr Tessier:** I have no idea.

**Mr Kormos:** Because you've known a lot of tenants in your lifetime. You've owned buildings.

**Mr Tessier:** Yes.

**Mr Kormos:** You don't know if one of your tenants might have submitted your name.

**Mr Tessier:** I don't know.

**Mr Kormos:** Social planning councils?

**Mr Tessier:** I have no idea.

**Mr Kormos:** Housing advocates. What are some of the things that housing advocates — they operate housing for difficult-to-house people. Would the housing advocates have submitted your name?

**Mr Tessier:** I don't know.

**Mr Kormos:** Do you know whether the community legal clinic might have?



**Mr Tessier:** I'm sorry, I don't have any idea.

**Mr Kormos:** Had you ever had any contact, over the course of your years as an owner of buildings, with the community legal clinic?

**Mr Tessier:** No.

**Mr Kormos:** Your MPP is — I'm not sure whether it's Mr Bartolucci.

**Mr Tessier:** Yes.

**Mr Kormos:** It indicates here that the Ministry of Housing would have sent a letter to Mr Bartolucci requesting suggestions about possible appointments. Do you know whether Mr Bartolucci submitted your name?

**Mr Tessier:** No.

**Mr Bartolucci:** Chances are that didn't happen. Chances are the minister didn't send me a letter requesting names either.

**Mr Kormos:** You were made aware that there was a vacancy. You were made aware that there was a need for one or more people to be on this.

**Mr Tessier:** Possibly only; I didn't know. I received a letter back saying it might be in the next month or two years or more. Then I received a letter to appear here, that's all.

**Mr Kormos:** So initially you wrote a letter to someone.

**Mr Tessier:** Yes. I made the application.

**Mr Kormos:** To whom?

**Mr Tessier:** To the ministry, whatever.

**Mr Kormos:** What prompted you, though, to do that?

**Mr Tessier:** I had some spare time and I like to do a little bit for my community, that's all, like I've always done.

**Mr Kormos:** So you had always had a passion for serving on the district housing —

**Mr Tessier:** It's related to my type of work that I've been involved in all my life.

**Mr Kormos:** You decided, now that you've got time, that you're going to write a letter. You wrote it to whom, once again?

**Mr Tessier:** To the ministry. I don't have the application here, but I sent it in and in due course they wrote back and said they had my name on file and that they would consider it. About two months later I received a letter to appear here.

**Mr Kormos:** What's Mr Bartolucci saying, then, when he's trying to make some connection with Bernie? Was Bernie involved with this?

**Mr Tessier:** He asked me how I found out, and I said I had heard from different people that there might be an opening on the Sudbury housing authority and I sent it in.

**Mr Kormos:** So he asked you how you found out about the opening.

**Mr Tessier:** Yes. Not necessarily an opening; they mentioned the Sudbury housing authority. They said there might be an opening or there might not be, and I sent it in. That's all.

**Mr Kormos:** Okay. But Bernie approached you.

**Mr Tessier:** No, I approached him. I was looking for something to do.

**Mr Kormos:** You went to Bernie.

**Mr Tessier:** We were just meeting. We were having coffee together.

**Mr Kormos:** Sure. No problem. So you raised the issue with Bernie.

**Mr Tessier:** No, I did not raise the issue with Bernie. We were having a discussion and I said I might be available for an authority. He mentioned to me that there would be — and I submitted. I submitted before for other positions and then turned them down, not for any political reason or anything else.

**Mr Kormos:** You can't be sure of that.

Okay, during a conversation with Bernie you mentioned that you were interested in serving on the housing authority —

**Mr Tessier:** Or another —

**Mr Kormos:** — or another position. What other sort of stuff?

**Mr Tessier:** Anything that is related to me. You know, you've got the book in front of you.

**Mr Kormos:** What did you have in mind? You've got an extensive background in —

**Mr Tessier:** Numerous things.

**Mr Kormos:** — land development. Licence Suspension Appeal Board?

**Mr Tessier:** Not really, no. But anyway, I submitted, period.

**Mr Kormos:** After you spoke with Bernie.

**Mr Tessier:** I don't know what you want from me.

1100

**Mr Kormos:** After you spoke with Bernie, you then sent a letter to the ministry?

**Mr Tessier:** Yes.

**Mr Kormos:** So Bernie directed you to send the letter to the ministry?

**Mr Tessier:** No. I wrote in for the form, got the form and submitted it, that's all. Bernie was not a big item in this. I wanted to be of service to my area.

**Mr Kormos:** Were you interviewed by anybody before you came here to this committee?

**Mr Tessier:** I haven't seen anybody — nobody.

**Mr Kormos:** Did you speak with the chair of the Sudbury District Housing Authority?

**Mr Tessier:** No.

**Mr Kormos:** Nobody spoke to you from the government before you came here?

**Mr Tessier:** No.

**Mr Kormos:** We might not have gotten the full package, but I've got a one-page work background here that identifies your work background from 1950, miner, and then beginning in 1956 with property development through to 1996. Is that what you sent in to the ministry?

**Mr Tessier:** I sent it to the ministry. Then I received a call from the chair and she said she would mail me the Hansard. I received it and that was it. I made contact with whatever was written in the letter and then I spoke to, I believe, your secretary or something.

**The Chair:** Of the secretariat, I would think.

**Mr Tessier:** Yes. In fact, Donna Bryce. I can see the lady now. I made contact with Donna Bryce, and she sent me the Hansard and instructions to be here today.

**Mr Kormos:** Did you send anything more to the ministry, other than this, when you made your application? I've got one page that says "Work Background."

**Mr Tessier:** That's it.



**Mr Kormos:** It doesn't even have your name on it, though.

**Mr Tessier:** Well, I don't know. I forget now.

**Mr Kormos:** Is there more here that was attached? Have I been shortchanged in terms of materials?

**Mr Tessier:** That was attached to the form. My name was on the front of it.

**Mr Kormos:** It was attached to the form. Okay. You sent that to the Ministry of Housing in Toronto?

**Mr Tessier:** Yes.

**Mr Kormos:** That's the address that was on the form?

**Mr Tessier:** Yes.

**Mr Kormos:** And nobody from the Ministry of Housing called you?

**Mr Tessier:** Yes. A lady by the name of Judy Burns called me, and in turn she sent me a fax with instructions to meet with her and she sent me this.

**Mr Kormos:** Fair enough. That's what I want to find out: What happened between your letter of application until you got here. So a woman called Judy Burns — whom is she with?

**Mr Tessier:** I'm going to start to give it to you exactly.

**Mr Kormos:** Please.

**Mr Tessier:** I sent the application. I received the letter, I'm going to repeat it again, and I received forms saying they would consider me, that it might be a while, a year or whatever it is. Then I turned around and received, about two months later, a letter from the Office of the Premier signed by Judy Burns, who requested that I have a meeting with her last night, then today to appear here. I brought back the tape and whatever, and that's it. After that I received a call from Donna Bryce, from the Chair's office, and she sent me the instructions to be here at 11, because I thought it was to be a different day; I didn't know. It was a two-step deal, period.

**Mr Kormos:** Mr Bartolucci had much more time than I did, Chair.

**The Chair:** It just seemed that way, Mr Kormos. We will now go back to the government members. Do they have any questions?

**Mr Bob Wood:** We'll waive our time.

**The Chair:** Mr Tessier, thank you. You've endured your trial by fire before the committee. We appreciate your presence here this morning.

That brings us to the final item on the agenda, which is the concurrences for the intended appointees.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Emo.

**The Chair:** You've heard the motion. Do you wish to speak to it? Okay. All those in favour —

**Mr Kormos:** I want to speak to it.

**The Chair:** Okay, Mr Kormos. Sorry.

**Mr Kormos:** Once again, as I indicated to Mr Emo when he was here, in taking a look at his résumé, he, no doubt about it, is qualified for this position. Mr Emo was very candid, as one would expect him to be when seeking an appointment to this quasi-judicial sort of body. His integrity is confirmed by his candour here.

But I do raise notice. I'm going to support his appointment to the OMB but I make note of the fact that here

we have a person who candidly admits to having contributed to the Conservative Party during the course of the last election. I think we'd better take note of that, because we'd hate to see this government fall into the patronage trap, where the qualification ultimately is that you feed into the coffers of the Conservative Party. Having said that, I have every intention of supporting Mr Emo as a qualified applicant for this position.

**The Chair:** Is the committee ready for the question? All those in favour of Mr Wood's motion? It's carried unanimously. Thank you for that.

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Conway.

**The Chair:** Comments?

**Mr Kormos:** Once again, this position has modest remuneration. At the moment it requires, according to the government's guide to agencies, boards and commissions — it's not this government in particular; it's the generic guide — one or two days a month. I suspect the workload may be increasing, and the government can decide then either to appoint more members or that these people are going to be called upon to work more frequently.

It's a position where I suspect the primary guidance is common sense, hopefully not the sort of common sense we've seen around here for the last year and a half, because that has smeared any indication of that.

Once again I feel badly because Mr Conway felt it was inappropriate to go to his member, his MPP, to seek this position and instead went to the member for the S-D-G riding, Noble Villeneuve, whom I have high regard for, as you well know. I feel badly about that because that suggests to me — because Mr Conway candidly said he suspects that the member for Prescott and Russell has taken care of "his" people — I assume, I think fairly safely, that meant Liberals.

I grew up during the 1950s, during those pre-Robarts and then Robarts years, through to the Davis years, when pork-barrelling was at its most intense level, back in days where, truly, the road paving would stop at the boundary of a riding. I remember that. You've got a few years on me, Chair, more than a few, but that much more experience, and I'm sure you could recall even more phenomena.

Mr Conway made no bones whatsoever about the fact that he was a long-time Conservative supporter and a financial contributor. I'm concerned that what we're witnessing, though, is that this government has created, clearly, the impression that it's going to engage in patronage à la 1950s and 1960s. That is very troubling. Mr Conway gave the impression that he sensed that, because he wouldn't go to his own MPP for a reference or for assistance, he went to Mr Villeneuve, because he was one of Mr Villeneuve's people, to wit, a Tory. That's troubling because that confirms to me that this government has embarked on a course of, yes, turning the clock back over 30 years to those days of Tory pork-barrelling. I'm going to support Mr Conway, but I note that he again, and with candour, acknowledged being a long-time Tory supporter, a Tory financial contributor. We've got to keep an eye on these because there may be a pattern



developing where the only way you get appointed is by being a Tory supporter and/or a contributor to the Conservative Party. That's troublesome.

1110

**Mr Douglas B. Ford (Etobicoke-Humber):** That's a smart move, a very smart move.

**Mr Kormos:** It may be a pattern.

**The Chair:** Thank you, Mr Kormos. Are there any other comments on Mr Wood's motion for concurrence? Are you ready for the question? All those in favour? It's carried unanimously. Thank you for that.

The third concurrence?

**Mr Bob Wood:** I move concurrence in the intended appointment of Mr Tessier.

**The Chair:** You've heard the motion. Any comment?

**Mr Kormos:** Once again, after Mr Bartolucci spoke to Mr Tessier I thought we had basically one of two options, that Mr Tessier was either a Conservative or a New Democrat, because the impression one got from Mr Bartolucci's questioning was that he clearly wasn't a Liberal. That is not to say that Mr Bartolucci isn't a Liberal; Mr Tessier wasn't a Liberal.

**The Chair:** I could have clarified that for you, actually.

**Mr Kormos:** I'm sure you could have. But then I figured Mr Tessier is from Sudbury, which has been a hotbed of social democracy for decades, and I figured maybe Mr Tessier was a New Democrat. I thought maybe the pattern we had begun to witness was being broken by the government, that maybe they had recognized their addiction to patronage, their addiction to Tory appointments. Do you know what also went through my mind, Chair? I thought maybe this is one of those token New Democrats the government was appointing, because as I say, until it was confirmed for me that Mr Tessier wasn't a New Democrat, I thought maybe he was one of those token ones governments are inclined to throw in every once in a while to try to create the illusion of there not being a pattern of patronage.

I wish Mr Bartolucci could have stayed, because I think we would have had some interesting interplay, but obviously he had obligations that he had made previous commitments to and he left Mr Crozier here, which is more than fair and more than appropriate. What troubles me about Mr Tessier is that it took a little while to understand the pattern or the course of his application for this position.

**Mr Peter L. Preston (Brant-Haldimand):** That was your lack of understanding.

**Mr Kormos:** I can only say this to Mr Tessier: In view of what appears to be a very intense connection to Tory bag people up in Sudbury — and no quarrel with that. You've got every right, and boy, Tory bag people need all the help they can get right now because those bags are just full of cash and it ain't coinage, let me tell you; it ain't small bills.

In view of that, Mr Tessier, you should have held out for something that had a little more currency and a little more longevity to it, because these housing authorities that supervise public housing are doomed as a result of the announcement made yesterday. Mr Tessier will be responsible, I suppose, perhaps for the selloff of these. His being on the board may well prohibit him from considering buying them because that would be a conflict of interest, but, Mr Tessier, you should have held out for something with a little more longevity and at least a modest stipend, like Mr Conway is going to get, one or two days a month. In view of your connections, you should have held out for more. You've been shortchanged by this government. You've been a faithful Tory and a strong supporter and you deserve —

**Mr Preston:** On a point of order, Mr Chair: I object to a person's motives being called into question. Mr Tessier stated he wanted something that interested him. That was the end of the story. Now his motives are being called into question on a monetary basis and I think it's a crock, as everybody else does here.

**The Chair:** Speak for yourself, Mr Preston. To be fair —

**Mr Preston:** Then there are only two people who don't think it's a crock.

**The Chair:** That is not a legitimate point of order. Mr Kormos, continue.

**Mr Kormos:** Thank you, Chair. Do I have to back up a little bit?

**The Chair:** I don't know.

**Mr Kormos:** Are we okay with Hansard? I didn't want to interfere with Hansard, because sometimes there's a gap where they have to just put three or four dots.

In any event, Mr Tessier, I'm going to support your appointment, but I tell you, you've been shortchanged. This government has done far more for people who have done far less than you have for the Conservative Party. I would have a talk with Bernie if I were you and straighten him out and tell Bernie, "No more big cheques to fund-raisers unless they clean up their act a little bit," because if you're going to do patronage, by God, people like you are the people who deserve it. You've been working a lifetime, it seems, for the Conservative Party, and working hard.

Thank you, Chair.

**The Chair:** Thank you anyway, Mr Kormos. I appreciate that. Any other comments? Are you ready for the question?

All those in favour of the concurrence? It's unanimous. Thank you for that.

That completes the business. Next week we have only one person scheduled, but there will presumably be a subcommittee to deal with by then as well, so I assume we'll carry on with the meeting next Wednesday.

We are adjourned.

*The committee adjourned at 1116.*









## CONTENTS

Wednesday 15 January 1997

<b>Subcommittee reports</b> .....	A-573
<b>Intended appointments</b> .....	A-573
Mr Ronald Emo .....	A-573
Mr Ronald Conway .....	A-575
Mr Armand Tessier .....	A-578

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

**Chair / Président:** Mr Floyd Laughren (Nickel Belt ND)

**Vice-Chair / Vice-Président:** Mr Tony Silipo (Dovercourt ND)

- \*Mr Rick Bartolucci (Sudbury L)
- \*Mr Bruce Crozier (Essex South / -Sud L)
- \*Mr Ed Doyle (Wentworth East / -Est PC)
- \*Mr Douglas B. Ford (Etobicoke-Humber PC)
- \*Mr Gary Fox (Prince Edward-Lennox-South Hastings /  
Prince Edward-Lennox-Hastings-Sud PC)
- \*Mr Michael Gravelle (Port Arthur L)
- \*Mr Bert Johnson (Perth PC)
- \*Mr Peter Kormos (Welland-Thorold ND)
- \*Mr Floyd Laughren (Nickel Belt ND)
- \*Mr Gary L. Leadston (Kitchener-Wilmot PC)
- \*Mr Dan Newman (Scarborough Centre / -Centre PC)
- \*Mr Peter L. Preston (Brant-Haldimand PC)
- Mr Tony Silipo (Dovercourt ND)
- \*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

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XCR  
652

Publications



A-39

A-39

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## Legislative Assembly of Ontario

First Session, 36th Parliament

## Assemblée législative de l'Ontario

Première session, 36<sup>e</sup> législature

# Official Report of Debates (Hansard)

Wednesday 29 January 1997

# Journal des débats (Hansard)

Mercredi 29 janvier 1997

Standing committee on  
government agencies

Committee business

Comité permanent des  
organismes gouvernementaux

Travaux du comité



Chair: Floyd Laughren  
Clerk: Donna Bryce

Président : Floyd Laughren  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Wednesday 29 January 1997

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mercredi 29 janvier 1997

*The committee met at 1011 in room 228.*

## COMMITTEE BUSINESS

**The Acting Chair (Mr Tony Martin):** We're going to bring this meeting to order. I believe all we have to deal with this morning are some procedural or housekeeping items. We don't have anybody appearing before us.

I would entertain a motion to adopt the subcommittee report of January 16.

**Mr Bob Wood (London South):** I move adoption of the subcommittee report dated January 16, 1997.

**The Acting Chair:** Any comment or discussion? All those in favour? Adopted.

I would now entertain a motion to adopt the subcommittee report of January 23.

**Mr Bob Wood:** I move adoption of the subcommittee report of January 23, 1997.

**The Acting Chair:** Any discussion? If not, all those in favour? Adopted.

**Mr Rick Bartolucci (Sudbury):** Because of the announcement made in the House yesterday by the Management Board Chair, I move that Michael Gravelle permanently replace Bruce Crozier as the member on the subcommittee for committee business for government agencies.

**The Acting Chair:** Any discussion? If not, all those in favour? Approved.

We have a scheduling issue here that we need to deal with in the person of Carol Marie Pinke, intended appointee as member of the Licence Suspension Appeal Board. She was to appear January 22. However, she is an intensive care nurse who works shifts and therefore is unable to attend until February 26. The problem with this is that it puts it beyond the time lines, so is the request here to ask the secretary to hold this appointment until we've had a chance to interview this person or do we waive the interview?

**Mr Gary L. Leadston (Kitchener-Wilmot):** I move that we waive the interview process. If you've read her résumé, she's eminently qualified for this position. She is a very experienced nurse in the ICU unit in Hamilton. When there are serious accidents in a certain district within Ontario, she's the one who's in the helicopter with other resource personnel flying out to the site to administer medical aid. The difficulty at times for her, and that occurred with the last hearing, is because the serious nature of her employment somewhat dictates her availability and her time. Unless the committee feels otherwise, I move that we waive the interviewing process based on that information.

**Mr Bartolucci:** Just one comment on that: Certainly when I read the résumé she seemed to be very qualified,

and I think there's a very valid reason. If her skills require her to try to save lives on the way to emergency procedures, then so be it.

The only problem I have with this is that this was a selection of the third party, and the third party is now coming to speak to the selection, why it may have wanted to select her. The only problem I would have in not supporting this is that the third party obviously wanted this witness to attend. There must have been some reason. Now that Peter's here maybe we can find out that reason and then decide whether or not we want to waive it.

As far as the résumé goes, it was very impressive, and if she's a highly qualified nurse requiring that she can't attend because she had to fulfil life-saving duties, one should understand that. But there must have been a reason and maybe the representative from the third party would have that reason.

**Mr Peter Kormos (Welland-Thorold):** I'm sorry I'm late, but the hallway was cordoned off by the police on the instructions of somebody, probably the Premier's office. In view of the fact that obviously this building's been privatized too and is no longer accessible to the public in a repugnant display of politicization and use of the police to achieve political ends, it's very sad, very tragic. I had a difficult time finding my way through the number of good people, most of them Torontonians, who came here as members of the public to speak with their elected officials, prevented from doing so by a cordon of police officers. It was very tragic.

But with respect to this selection, we're prepared to waive the selection and hope that resolves the issue.

**The Acting Chair:** Any further discussion? If not, all those in favour of waiving?

**Mr Bob Wood:** If the third party's waiving it, I don't think we have to vote on it. I think the motion becomes academic.

**The Acting Chair:** There's a motion on the floor and it would be simpler if we just take the vote on it.

**Mr Bob Wood:** I think it would be in order to withdraw the motion.

**Mr Leadston:** I'll withdraw the motion.

**The Acting Chair:** No problem. Then it's waived. The interview has been withdrawn.

We also have in front of us this morning a withdrawal notice of the appointment of Robert Patterson to the Lakehead University Foundation board of directors. That's for your information.

Are there any other issues that anybody would like to raise this morning at the committee? If not —

**Mr Bob Wood:** I'll move a motion to adjourn.

**The Acting Chair:** All those in favour? Carried.

*The committee adjourned at 1018.*



## CONTENTS

Wednesday 29 January 1997

Committee business .....	585
--------------------------	-----

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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Mr Tony Silipo (Dovercourt ND)

\*Mr Bob Wood (London South / -Sud PC)

*\*In attendance / présents*

#### **Substitutions present / Membres remplaçants présents:**

Mr Dave Boushy (Sarnia PC) for Mr Preston

Mr Tony Martin (Sault Ste Marie NDP) for Mr Laughren

**Clerk / Greffière:** Ms Donna Bryce

**Staff / Personnel:** Mr David Pond, research officer, Legislative Research Service

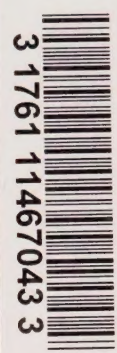












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